CONFERENCE OF THE COMMITTEE ON DISARMAMENT

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on Thursday, 9 July 1970, at 10.30 a.m.

Chairman: Mr. H. KHALLAF (United Arab Republic)

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1. The CHAIRMAN (United Arab Republic): I declare open the 477th plenary meeting of the Conference of the Committee on Disarmament.

2. Before giving the floor to the first speaker I have great pleasure in welcoming here today Mr. Mario Gibson Barbosa, the Minister of External Relations of Brazil. I am sure that I express the sentiments of all members of the Committee when I say how gratified we are to see him with us today.

3. Mr. GIBSON BARBOSA (Brazil): I am very grateful to you, Mr. Chairman, for your kind words of welcome, and through you I should like to greet the distinguished members of this Committee. It is indeed a great honour for me to be here today, for I have been associated with this Committee -- indirectly but in a very heartfelt manner -- since its very beginning, being then a member of the delegation of Brazil to the United Nations in New York. Brazil has had the honour of being one of the members of this Committee since its inception, and attaches great importance to its work. The members of the Committee will therefore appreciate how gratified I am to have this opportunity of addressing them today.

4. Twenty-five years ago our peoples, still overwhelmed by the memories of the economic depression of the 1930s and by the horrors of war, put their faith in the United Nations system of international co-operation for peace and economic development. Today this system, despite its weaknesses and partial failures, remains our main hope for the future. Its mechanisms may have inadequacies or shortcomings; on certain occasions adherence to commitments may have been less strict than desirable; even some basic purposes of the Charter have proved to be less precisely stated than would have been appropriate. However, time and experience have not undermined the value of the basic principles of the United Nations and only by constant rededication to them can peace and prosperity be achieved. We shall not attain the lofty aims of the Organization by putting such principles aside and reverting, whenever difficulties are encountered, to ad hoc or more primitive schemes. If we content ourselves with cease-fires or with ignoring conflicts instead of acting to settle them, if non-armament and standstill measures are permitted to become a substitute for actual disarmament, if we tolerate concepts of balances of power and the establishment of spheres of influence as valid means of preserving peace, or if we imagine that co-operation for economic and social development can be confined to little more than symbolic gestures of good will, then we shall jeopardize the security and prosperity of all.

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5. On the contrary, such aims can be attained only if we remain faithful to the basic concepts of the Charter. If any changes were to be considered they should be in line with the main characteristics of the system, namely, universality and collective security. They should reinforce its principles: the sovereign equality of States, non-interference in internal affairs, non-use of force in international relations and effective co-operation for the promotion of economic and social development.

6. All the main organs of the United Nations are about to evaluate the results achieved in the last twenty-five years and to ponder the prospects for future action. The Economic and Social Council is now holding a session, in this same building, which is being attended by several Ministers of State. The issue is the main strategy for a Development Decade. Actually there is a close relationship between the work done in the Economic and Social Council and the task we perform here. In the Conference of the Committee on Disarmament we face a substantially similar challenge. Naturally, planning for the future in this Conference necessarily requires a different method. However, this Conference is also bound to take stock and examine prospects. In fact, that corresponds to the wishes of the General Assembly, which at its last session proclaimed a Disarmament Decade.

7. Brazil considers that this Conference has an essential role to play in the system as a whole, since it constitutes a vital negotiating instance on matters related to the maintenance of peace and security. Its very creation was due not to a fortuitous combination of circumstances but to a deeply felt need to explore fully the path of multilateral negotiations on disarmament. Here, not only the members of the two main military alliances but also twelve other countries have an opportunity to recognize and act upon the chances offered by history to bring the forces of war under control.

8. Considerable conceptual progress has been achieved in the field of disarmament since the Second World War. Although man's sincere desire for peace is at least as old as his experience of war, never before has disarmament been the object of such systematic attention from all quarters. Suffice it to say that the San Francisco Charter does not list general and complete disarmament among the main purposes of the United Nations, although it refers to the matter in Articles 11, 26 and 47. However, since the adoption of resolution 1722 (XVI) general and complete disarmament has expressly become the ultimate goal. I consider that the inclusion of that goal

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as a main purpose of the United Nations is one of the most cogent changes that could be introduced into the Charter itself. The twenty-fifth anniversary of the United Nations provides an excellent opportunity to review this question and to evaluate the actual implementation of the principles for negotiations on disarmament contained in the joint statement issued by the United States and the Soviet Union on 20 September 1961 (ENDC/5). Such guidelines could form part of a new set of rules aimed at accelerating progress towards increased collective security and disarmament. That could contribute to preventing a loss of faith in multilateral negotiations, which tends to run parallel with the slow pace and meagre results that characterize such international discussions.

9. On the other hand, such a review and discussion of this matter could provide a profitable occasion on which to examine more closely the relationship between disarmament agreements and their possible effect on the international community, particularly on its less favoured members, the developing nations. There are, in this respect, three specific questions that deserve careful attention, in our opinion.

10. First, in any enunciation of principles a linkage has to be established in actual terms between the savings resulting from disarmament measures and the channelling of those savings to the promotion of the economic development of developing countries. In a time of extremely vast expenditure on sophisticated armaments and clearly diminishing funds for economic co-operation it is necessary to remember that even a small fraction of the resources frozen in the paraphernalia of thermonuclear arsenals could generate highly necessary investments for the improvement of the quality of life in countless countries, to the benefit of millions of human beings. I am sure that the graphic impact of statistical figures is not required to add substance to that statement.

11. Secondly, it must be emphatically said that disarmament agreements, while closing the door to the development of weapons of mass destruction, should not in any circumstances be permitted to have disruptive effects on the scientific, technological and economic future of developing nations.

12. Finally, in relation to a third point to be borne in mind when reviewing disarmament principles, I would draw another lesson from our recent experience. The scope of disarmament measures should be strictly confined to the specific field they are designed to cover. Circumstances may arise in which overlappings with unresolved juridical questions come into being. In such cases it is clear that every effort

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should be made to avoid indirect reflections upon parallel but unrelated questions and the appearance of undesirable prejudgements. Here, again, that could harm the interests of small and medium-sized Powers.

13. I have dwelt on questions of principle. I shall now turn to the specific questions that emerge as the main subject matters in disarmament negotiations.

14. The Government of Brazil has already stated that it is following with considerable hope the strategic arms limitation talks at present under way in Vienna. I can realize the complexity of such negotiations and therefore understand the requirements of patience and realism. At the same time, however, it must be made clear that the international community has a right to expect, even in the short term, that positive results will materialize from such talks. There is certainly not a single delegation around this table, or at the General Assembly for that matter, which does not assign the highest priority to nuclear disarmament. The atomic weapon is not just another weapon: we all know that. Given the quantities in which it is continuously being accumulated and the extremely sophisticated means of delivery that are already deployed, or that are in the process of development, it has become the first and main threat to the very survival of mankind. Even if it is possible to say today that the absolute danger of an all-out nuclear confrontation is highly improbable, no one can foresee the limits that technology can reach and, therefore, the duration of this period of strategic equilibrium. We are probably living at a time when the two most powerful nations of the world hold in their hands the invaluable historical opportunity of reversing the ominous trend of the arms race. This very Conference of the Committee on Disarmament has, in practical terms, suspended its consideration of nuclear disarmament while awaiting some evidence of progress from Vienna and Helsinki. But it cannot wait too long. The strategic arms limitation talks must signal the beginning of a new era in disarmament negotiations.

15. On the other hand, this Conference has continued to work on questions of great importance. The discussion on chemical and biological weapons stands out as the most significant issue under scrutiny here at present. Brazil supports the broadest possible scope for the prohibition of production and stockpiling of and research on chemical and biological weapons. That is in line with the long-standing position we have adopted in disarmament negotiations, namely, to seek agreements that have the widest effect on the curtailment of weapons of mass destruction. We already possess

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an appropriate international instrument to cover the use of such weapons, the 1925 Geneva Protocol (A/7575/Rev.1, annex VI). I am glad to announce that the President of Brazil has requested, and the Brazilian Congress has granted, the approval necessary for the ratification of the Geneva Protocol. That ratification will shortly be deposited and Brazil will thus become a party to the Protocol. Although the effectiveness of the 1925 Geneva Protocol has been proved under the most critical conditions, there is a clear need to go one step further. This Conference is making a valuable effort to examine the difficult technical problems arising in relation to the control provisions of a new agreement or agreements. We hope that that analysis will quickly lead to concrete results, even if those results fall short of the comprehensive prohibition that would be ideally desirable.

16. Last year and at its present session this Committee has also given considerable attention to the negotiation of a treaty for non-armament of the sea-bed and the ocean floor, which could become a limited but also positive step in the accomplishment of the task entrusted to this Conference. The detailed views of the Brazilian Government on this issue were clearly stated at the meeting of 25 June (CCD/PV.473, paras. 69 et seq.). We have consistently advocated the principle that the provisions of this new treaty should not by any means prejudge parallel questions which are still unresolved concerning the law of the sea. Unfortunately, we cannot consider that that principle has yet been applied. Furthermore, the lack of precision in the definition of the rights of coastal States, with a negative bearing on the system of verification, prevents the Brazilian Government from associating itself with the draft in its present form.

17. Although history can be recounted as a series of interludes between wars, I do not think that there has ever been a clearer conscience in the world that this process ought to be stopped. Never has it been so perfectly apparent that war can no longer be regarded as an instrument for settling international problems. I represent here a country that is proud of its peaceful traditions and has consistently repudiated the use of force in international relations. Brazil has settled even the most sensitive international questions it has had to face through the peaceful procedures of negotiation and arbitration. What is more, we have always refrained from any interference in the internal affairs of other countries. Violence can only generate tension and deprive the peoples of the world of the essential right to live and work in peace.

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18. It is the great mansion of peace we have now to strengthen by curbing the dreadful devices of war. We must carefully build stone upon stone, working in succession, generation after generation, for the attainment of that supreme goal. The stakes being much higher today, it is clearly our duty to exert a stronger effort and to dedicate ourselves totally to this cause.

19. The CHAIRMAN (United Arab Republic): I thank His Excellency, Foreign Minister Mario Gibson Barbosa, for his important and most interesting statement.

20. Mr. CASTANEDA (Mexico) (translation from Spanish): As I announced in my last statement (CCD/PV.476), today I shall make some concrete suggestions which, I believe, may improve the content of the draft treaty on the prohibition of the emplacement of nuclear weapons on the sea-bed and the ocean floor (CCD/269/Rev.2).

21. We have stressed in this and other forums the need to establish a close link between the prohibition of the arms race on the sea-bed and the ocean floor and the preservation of an international sub-marine zone exclusively for peaceful purposes. Like most countries, we believe that that area is the common patrimony of mankind. Consequently, the present treaty could not derogate from that principle, or detract from it or modify it. However, the treaty neither establishes nor even mentions any connexion between the two objectives, namely, the prevention of the arms race on the sea-bed and the ocean floor and the preservation for peaceful purposes of a zone situated beyond national jurisdictions that is the common patrimony of mankind.

22. We therefore believe that the preamble to the treaty should reflect our conviction that all military activity should be prohibited which is prejudicial to the principle that the international sub-marine zone, deemed to be part of the collective legacy of mankind, must be used for peaceful purposes only. Of course, that would not imply prejudging the special features of the regime that is to be established for the proper use of the resources of that zone. On that score, we share some of the ideas expressed by the representatives of Sweden and India, who, at earlier meetings, have emphasized that exploration and exploitation of this under-water area must be carried out for the benefit of mankind.

23. I shall now refer to articles I and II of the draft treaty. It is a sound principle of legal drafting that treaties should possess the greatest possible degree of autonomy. Every agreement should contain clear and precise juridical elements

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likely to make it self-explanatory and self-sufficient on perusal, thus obviating the need to refer to international instruments separate from the treaty. The draft treaty we are considering is far from fulfilling that requirement. It is true that at various drafting stages it has undergone changes, thanks to the amendments proposed by Argentina (A/C.1/997), which improve the text so far as its field of application is concerned. None the less, the initial conception and structure of the first draft submitted jointly by the co-Chairmen in October 1969 (CCD/269) basically remain.

24. Article I refers to two distinct geographical zones and subjects each to a different legal regime. But article I does not define their respective geographical limits; instead of that it contains reference to article II, which of itself somewhat complicates the problem. Nor does article II establish a delimitation of the two geographical zones: rather it refers in its turn to the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone[1/].

25. That is not all. Article II does not stop at mere reference to the Geneva Convention but, in order properly to define the geographical zone to which the treaty applies, it finds that it has to make another cross-reference, the third, to something else. But, paradoxically, that something else is none other than article I, which had previously referred the reader to article II. Article I, paragraph 1, states that the parties undertake not to emplant or emplace nuclear weapons "beyond the outer limits of a sea-bed zone as defined in article II ...". Article II in turn uses the words "the outer limit of the sea-bed zone referred to in article I ...". This looks like a vicious circle and is the most involved normative structure I have ever encountered in a treaty.

26. But the confusion does not end there. As I said, article I refers to two zones: one which is beyond a line twelve miles from the coast and to which the treaty applies — that is to say, in which the emplacement of weapons is forbidden -- and another which is within the twelve-mile limit, where in principle the treaty prohibitions do not apply. But article II refers only to "the sea-bed zone referred to in article I" without indicating which of the two zones is meant. One would think that it is easy to determine which is meant, but that is far from being the case. It would be logical if the zone which is to be defined were the same as the zone to which the treaty applies — i.e. the zone in which the treaty prohibits certain activities and which is beyond the outer limit of the twelve-mile wide zone. However, that is not the case. Article II states that "the outer limit of the sea-bed zone referred to in article I shall be coterminous with

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1/ United Nations Treaty Series, Vol. 516, pp. 205 et seq.

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the twelve-mile outer limit ..." of the contiguous zone contemplated by the Geneva Convention. That leads me to assume, although I am not completely certain, that article II refers to the zone on the land side, that is to say within the twelve-mile limit as measured from the coast. The back-reference in article II to that zone instead of to the other is inappropriate since, as I have said, the zone that has to be defined is the one to which the treaty applies — in other words, the one in which the treaty prescribes certain things — and not the zone in which the treaty in principle does not establish a prohibition.

27. The uncertainty and the confusion do not stop there either. Article III also includes a cross-reference to "the zone referred to in article I" without specifying which of the two zones is intended. However, to complicate matters even further, article III appears to make reference to the zone which is in the open sea -- i.e. beyond the twelve-mile limit — contrary to what is done in article II.

28. All this is far from constituting the best imaginable method of legal drafting. These various cross-references are not only confusing but also unnecessary. I have never understood — and in any event not been convinced by — the reasons why it was felt necessary to make reference to the contiguous zone provided for in the 1958 Convention on the Territorial Sea, which incidentally is in force only as between fewer than half of the countries members of the present international community. Originally, the only function of that reference was to allude to a twelve-mile zone without actually saying so. One gets the impression that there was a desire not to confess openly that what was meant was a twelve-mile zone. But that reason has disappeared. The present draft treaty clearly states that it is a twelve-mile zone. Why, then, is the Geneva Convention still invoked when it is the cause of all these complications?

29. That is all the more paradoxical since the authors of the draft have always insisted, and rightly, that the treaty should not affect either the positions or the rights of the parties deriving from the law of the sea — a provision which is enshrined in article IV of the draft treaty. In other words, the aim has been, quite correctly, to separate the regime of this treaty from the general regime of the law of the sea. It is therefore contradictory, quite apart from being highly confusing, to indicate by implication and cross-references that the zone alluded to in article I shall be coterminous with the twelve-mile outer limit of the contiguous zone contemplated in the Geneva Convention. Moreover, once it is expressly stated that that zone is twelve

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miles wide, nothing is gained, from the point of view of law, by then mentioning that it is coterminous with that contiguous zone. That is merely a complicated and unnecessary way of describing the twelve-mile zone.

30. Such drawbacks could be avoided by stating things clearly through the use of a simple and almost self-sufficient formula. Thus, paragraph 1 of article I might simply read:

> "The States parties to this treaty undertake not to emplant or emplace on the sea-bed and the ocean floor and in the subsoil thereof beyond a twelve-mile zone, measured in accordance with article II, any nuclear weapons ...".

Article II would then confine itself solely to stating how that zone was to be measured.

31. I now turn to paragraph 2 of article I. This paragraph gives rise to more than one doubt. In simple language, the paragraph means that the other States will not be able to emplant nuclear weapons within a twelve-mile zone along the shores of the coastal State without the consent of the latter. Stated in the terms of paragraph 2, the obligations of the treaty "shall not apply either to the coastal State or to the sea-bed beneath its territorial waters". In the first place, it seems to me that a State, on the one hand, and the sea-bed, on the other, are such different notions that it is hardly possible to say in the same sentence that an obligation is not applicable to either the one or the other. But apart from this defect of legal drafting, the problem arises of interpreting the meaning of this paragraph.

32. When one says that the obligations of the treaty shall not apply "to the coastal State or to the sea-bed beneath its territorial waters", two zones in which the obligations do not apply are indicated. In other words, the phrase "or the sea-bed beneath its territorial waters" necessarily means something different from the twelve-mile zone to which the first part of this paragraph refers. In accordance with the principle of effectiveness in the interpretation of treaties, of two possible interpretations the one which permits some meaning to be given to an expression or term must be chosen and the other interpretation -- that which would make the phrase or term meaningless and pointless -- must be discarded. If an expression or wording appears in a treaty, there must be some reason for its presence. The wording "or the sea-bed beneath its territorial waters" could not, then, be interpreted as a mere pointless and meaningless repetition of another concept which already appears in the same paragraph. If that wording was added, it must, as I say, mean something different from the twelve-mile zone contemplated in the same paragraph.

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33. In order to unravel the true meaning of this added expression we must consider all possible hypotheses. The sea-bed and the ocean floor beneath the territorial waters of the coastal State may be narrower than, equal to or wider than the twelve-mile zone within which, according to the first part of this provision, the treaty obligations do not apply. If the territorial waters above the sea-bed and the ocean floor are narrower than or equal to twelve miles, then the words at the end of the paragraph, namely "or the sea-bed beneath its territorial waters", are quite meaningless -- or, to put it differently, it would not be applicable inasmuch as the interests of the coastal State are already safeguarded by the first exception, namely, that of the twelve-mile zone. Consequently, if the words "or the sea-bed beneath its territorial waters" are to have some meaning of their own and not be a useless repetition of what has already been said, they must logically and necessarily relate to the third and last possible hypothesis: that the territorial waters are wider than the twelve-mile zone to which paragraph 1 of article I of the treaty refers, since only on the assumption that they are wider would they not already be included in the other exception designed to protect the rights of the coastal State.

34. This can take us very far. The words "or the sea-bed beneath its territorial waters" which appear at the end of paragraph 2 of article I, could be legally interpreted as authorizing a State to emplant or emplace weapons of any kind, nuclear or conventional, not only within the twelve-mile zone permitted by the treaty, but even within a considerably larger area, extending to as much as 200 miles -- if its territorial waters go that far -- since, as is well known, there is no agreement on the width of the territorial sea and there are of course diverse and often conflicting claims as regards the delimitation of such waters.

35. It would be extremely dangerous if a State, on the pretext of exercising acts of sovereignty within what it subjectively and unilaterally regards as its own territorial sea, were to wish unjustifiably to transfer the arms race to a zone of the sea-bed beyond twelve miles from the coast.

36. The concern we are expressing becomes even more pronounced when we carefully examine the content of article IV of the draft treaty. If we read both provisions together, we find that under article IV the treaty neither supports nor prejudices the position of any State with respect to the conventional law of the sea or with regard to any other question relating to rights or claims which States may assert over territorial waters, contiguous zones, or continental shelves. It is obvious that in

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such circumstances any State could render the treaty nugatory by wrongfully invalidating the extent of area over which the treaty operates. I am sure that this was not the intention of the two co-Chairmen.

37. The representative of the United Arab Republic -- you yourself, Mr. Chairman -- rightly pointed out at our meeting of 7 July (CCD/PV.476, para. 56) that this oft-mentioned clause, which had some meaning in the context of the original Argentine amendments, had lost it in the framework of the co-Chairmen's present draft.

38. Consequently, with reference to paragraph 2 of article I, we make two suggestions: first, that the words "or the sea-bed beneath its territorial waters" should be deleted; and, secondly that, in keeping with the wording used in the draft submitted to the Conference by the co-Chairmen in October 1969 (CCD/269/Rev.1), it should be stated that the undertakings of paragraph 1 of article I shall also apply within the twelve-mile zone. The word "within", which would make things somewhat clearer, has disappeared from the latest version of the treaty, that of 23 April (CCD/269/Rev.2).

39. I should now like to make a suggestion relating to the substance of the prohibition in article I. The commitment undertaken under that provision imposes on the contracting parties the obligation not to emplant or emplace on the sea-bed or the ocean floor within the limits indicated in the treaty nuclear weapons or any other types of weapons of mass destruction. While it is true that the latter expression -- weapons of mass destruction -- is in current use and has been given its naturalization papers in the special terminology of disarmament, its scope has not been precisely defined and it is undoubtedly open to misunderstanding. In order to avoid the generality of the term it would be useful to include a description, by way of example, of some of the weapons that have a destructive power of such a nature. Thus, in the prohibition specific mention might be made of chemical and biological weapons, which certainly fall within that category of armaments. Such a reference would help to define more strictly the ambit of the military prohibitions embodied in the treaty, apart from providing greater clarity as to the types of weapon which are to be excluded from the sea-bed.

40. I now turn to article III and to some of the suggestions submitted to this Conference for consideration. Only a few days ago the delegations of Brazil and Argentina made observations (CCD/PV.473, para. 69 et seq. and CCD/PV.475/Add.1, para. 8 et seq.) which we consider very interesting. Indeed, quite clearly the obligations and rights contained in the various paragraphs of article III deserve careful analysis, and certain concepts need to be rounded out, to prevent the

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observation and verification procedure from failing to fulfil the purpose for which it was intended.

41. With reference to paragraph 1, as the representative of Brazil pointed out on 25 June (CCD/PV.473, para. 80), the participation of the coastal State in the verification through observation is not laid down in precise terms. It is true that such verification may be limited to observation stricto sensu, but it is not difficult to imagine that it might go further if it is to be truly effective, and include a certain amount of investigation and exploration. In such cases, and for the purpose of not interfering unjustifiably with the legitimate maritime activities that the coastal State may engage in, it is right to provide it with a guarantee with respect to acts that go beyond simple observation, particularly in certain areas like the continental shelf of the coastal State, where the latter has obvious economic and security interests. Hence the need for the State concerned to be notified of the observations being conducted beyond twelve miles from its coasts in areas of specific interest to that State.

42. We agree with the delegation of Brazil in thinking that in paragraph 2 of article III the coastal State should be categorically given the right not only to be notified of the consultations and the measures of co-operation engaged in by the States situated in the region but also to participate in them. For that reason specific mention ought to be made of the competence of the State concerned to act on such matters not as a mere possibility but as an authentic right, so that the interests of that State may be sufficiently guaranteed in the inspection procedure conducted by other countries.

43. We believe too that the comments made by the representative of Argentina at the meeting of 3 July (CCD/PV.475/Add.1, paras.19-22) concerning "parties in the region" in which the activities are conducted are of special relevance to a clear definition of that expression which in its present wording is too ambiguous. If, as proposed by the representative of Argentina, the words "in particular the coastal State" (ibid., para. 24) were added, the rights of that State would be better protected. We therefore support his proposal.

44. On the other hand, we do not share the point of view of those delegations which would eliminate the notion of the freedom of the high seas from paragraph 1 of article III. Not only is that a concept which belongs to conventional law but it must be regarded as an integral part of international customary norms and hence of general international law. The freedom of the high seas is no longer a matter of controversy. What might be open to discussion is the precise delimitation of where the high seas

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begin — or, if you wish, where they end. However, in the context of this paragraph the aim is to prevent the observation conducted by States from infringing rights recognized by international law, including the freedom of the high seas. It is not a question of restricting or limiting the rights of the coastal State but rather of protecting and guaranteeing the freedoms enjoyed by all other States.

45. The representative of Argentina proposed an important amendment to paragraph 6 of article III (ibid., para. 29). Broadly speaking we support it but we have some doubts concerning the actual wording proposed. The situation is as follows. Paragraph 6 provides that the verification shall be conducted with due regard for "the sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law". That terminology follows closely, though not exactly, the language of the 1958 Geneva Convention on the Continental Shelf[1/]. This Convention provides that the coastal State exercises sovereign rights over the continental shelf as regards the exploration and exploitation of the shelf's natural resources. In other words, the sovereign rights attributed to — or, if you wish, recognized to — the coastal State are limited by the objective of exploiting natural resources. The Geneva Convention, then, does not recognize to the coastal State general sovereignty over the continental shelf.

46. During the 1958 Geneva Conference attempts were made to obtain recognition of the full sovereignty of the coastal State over the shelf. Some may remember that it was Mexico which was the sponsor of a proposal to the Conference to recognize full sovereignty over the continental shelf to the coastal State. Our proposal was defeated, although it obtained a large number of votes. The thesis that was approved, whereby limited sovereign rights were recognized to the coastal State for the exploitation of resources, ultimately obtained an overwhelming majority of votes at the Conference. We abide by that decision and are fully convinced that at the present time the Geneva Convention reflects and expresses the existing rule of international law on the matter. For that reason we have no objection to make to the present paragraph 6 of article III.

47. However, we recognize, together with Mr. Ortiz de Rozas, that the Geneva Convention is in force only as between a small number of States — approximately one-third of the international community — and that the thesis it embodies is only one of the existing theses. But to agree that the Geneva Convention is not being universally applied is not the same thing as agreeing that any other of the theses being asserted at the present

1/ United Nations Treaty Series, vol. 499, pp. 331 et seq.

(Mr. Castañeda, Mexico)

time is the authentic expression of existing international law. The number of States calling for full sovereignty over the continental shelf is probably very small.

48. In the circumstances we have no objection to changing the present wording of paragraph 6. But the result of that change should be that the treaty in no way pronounces on this controversial question, that is, that it does not side with any of the various positions. Such a solution would be more in line with article IV of the treaty, which divorces, so to speak, the general questions of the law of the sea from the present treaty.

49. The amendment submitted by Argentina would have not that result but the other. If we omit from the present text the words "the natural resources of" as proposed by Argentina, the text would read: "... with due regard for the sovereign or exclusive rights of a coastal State with respect to its continental shelf under international law". That would imply the validation of one of the existing theses -- and certainly a thesis supported by a small minority -- namely that the coastal State exercises general sovereign rights over the shelf, i.e. rights not limited to the exploitation of resources. And that would be tantamount to recognizing, through this treaty -- or, I would venture to say, through the back door of this treaty — that the coastal State exercises sovereignty over the continental shelf.

50. For an amendment to paragraph 6 to be acceptable it would have to be more impartial. That which comes immediately to mind is the following: "with due regard for the rights of a coastal State with respect to its continental shelf under international law". In that formulation the type of rights exercised with respect to the continental shelf is not specified -- whether they are general sovereign rights or sovereign rights limited to the exploitation of resources. I should think that the co-Chairmen would have no objection to a wording such as the one I have indicated, but for my part I wonder whether such general terms would in fact be of greater value and usefulness than the present text.

51. The preceding remarks relate exclusively to the text of the treaty as it stands at present. However, certain matters are not touched on in the draft treaty and have not been adequately studied by this Conference. When we changed our original purpose, which had presupposed the prohibition of all types of weapons on the sea-bed and on the ocean floor, and when the treaty was limited to the exclusion of nuclear weapons from that zone of the sea, the attention of the Committee was diverted mainly to those aspects of the treaty which relate rather to verification of its implementation. As

(Mr. Castañeda, Mexico)

a result, it has not been sufficiently noticed that the emplacement of certain conventional weapons on the sea-bed and the ocean floor of a country in the proximity of the outer limit of the permitted twelve miles may seriously prejudice the security of that State. Since we are legislating for the purpose of excluding the arms race from the sea-bed and the ocean floor, it would seem desirable to establish a rule which would also prohibit the emplacement on any State's continental shelf of conventional weapons as well.

52. Various representatives have repeatedly referred to these questions and have indicated that they are anxious to include a rule that would protect their rights over the continental shelf. It is also true that in paragraph 6 of article III, on which we have already commented, these considerations are partly taken care of since the paragraph states that the verification to be conducted must show due regard for the sovereign rights of a coastal State in that sub-marine zone.

53. But mention has been made only of verification activities. Our concern goes further and relates mainly to the possible emplacement of conventional weapons — for instance, mines or guided missiles with non-nuclear warheads — on the continental shelf of a State, even beyond the limits of the twelve-mile sea-bed zone laid down in the treaty. Under the present terms of the treaty — under what is allowed by the treaty — a State would have the right to encircle another by the emplacement of conventional weapons on the continental shelf outside the maritime belt laid down in the treaty -- say, thirteen miles from the shores of the coastal State. It is technically easier to emplace non-nuclear devices of every kind on the continental shelf of another State than on the ocean floor since this plateau extends not too far below the surface of the sea over distances that in many cases are greater than twelve miles. The serious consequences for the security of a coastal State deriving from that situation are quite obvious.

54. Consequently, if the militarization of the entire sea-bed and ocean floor is not to be prohibited it would appear to be desirable at least to insert a rule prohibiting the use of the continental shelf of any State for military purposes. That would include, inter alia, the establishment of military bases, structures, installations, fortifications and other devices of important military value in this sub-marine zone. Of course, that does not mean that the prohibition includes those devices of a purely passive or indirect defensive character, such as means of communication, shipping and surveillance.

(Mr. Castañeda, Mexico)

55. The purpose of the observations I have made today is to ensure that the treaty will constitute a contribution, however, small to the limitation of armaments. It is also possible that with the inclusion of these formulas the contents of the treaty may be made more acceptable to the members of the international community.

56. Mr. KITTANI (Morocco) (translation from French): I am going to speak briefly about the new revised draft treaty on the sea-bed and the ocean floor. First, however, I should like in my turn to welcome to our midst Ambassador Petrov, the representative of Bulgaria, and Ambassador Tanaka, the representative of Japan. I also welcome the return to our midst of Ambassador Castañeda, the representative of Mexico, and Ambassador Erdembileg, the representative of Mongolia. I am happy too to address a special word of welcome to Mr. Mario Gibson Barbosa, Minister of External Affairs of Brazil, who is seated among us today.

57. My delegation is sincerely gratified by the fact that the Conference now has before it a revised draft treaty on the sea-bed and the ocean floor (CCD/269/Rev.2), which is indeed the fruit of a long common effort of negotiation and consultation and which essentially reflects the criteria formulated last year by a large number of delegations both in the Committee on Disarmament and at the twenty-fourth session of the United Nations General Assembly. In its present wording that draft treaty is also the result of sustained and careful work by our co-Chairmen, who deserve our fullest gratitude.

58. My delegation, which attaches great importance to the use of the sea-bed and the ocean floor exclusively for peaceful purposes as well as to the preservation of the rights and claims of my country concerning its territorial seas and continental shelf, can only welcome with interest the new wording of the joint draft treaty submitted by our co-Chairmen, particularly as the text takes considerable account of the proposals formulated by various delegations, including my own.

59. I need not recall here that the joint draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof, constitutes, in our view, only one stage, whose importance is undeniable in so far as this instrument opens the way to the progressive but sure attainment of the complete demilitarization of the sea-bed and the ocean floor. That is why we deeply deplore the fact that the Swedish proposal (CCD/271) to state that efforts will be continued with a view to a more general demilitarization of the sea-bed and the ocean floor -- a proposal which still has our support -- has not found the place it deserves in the operative part of the present draft.

(Mr. Khattabi, Morocco)

60. On the other hand, my delegation is pleased to note that a considerable number of important modifications have been made in the revised draft treaty. Thus, we are happy to welcome the provisions contained in the new article IV. In this connexion, my delegation suggested on 23 October 1969 (CCD/PV.445, para. 169) that the provisions concerning the preservation of the rights of coastal States should be formulated in a separate article and that their position under international conventions now in force on the law of the sea should be respected. In the opinion of my delegation, the text which we are now negotiating cannot have any other objective than the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor. In that respect my delegation has taken note of the statement made by Mr. Roshchin on 23 April during the presentation of the second revised draft treaty, in which he said in particular:

> "This treaty is not intended to settle numerous issues of maritime law, to confirm or annul obligations assumed by States under other international agreements, or to anticipate any future solutions in this field." (CCD/PV.467, para. 21)

We subscribe to that statement, which seems to us to make even clearer the objective of the provisions of article IV of the revised text.

61. We also approve of the modifications made to articles I and II of the draft treaty, which have made it possible to replace the idea of "the maximum contiguous zone provided for in the 1958 Geneva Convention" by the concept of a "sea-bed zone" and to mention explicitly in the treaty the width of the sea-bed zone beyond which the treaty applies. Those modifications, which originated in working paper A/C.1/997 submitted by the Argentine delegation to the First Committee of the United Nations General Assembly last year, is a source of satisfaction to my country, which is not yet a party to the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone[1].

62. As regards article III of the revised text, which incorporates a considerable number of the suggestions in the Canadian working paper (A/C.1/992 and CCD/270), I must say quite clearly that my delegation understands that the provisions in

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1/ United Nations Treaty Series, Vol. 516, pp. 205 et seq.

(Mr. Khattabi, Morocco)

paragraphs 2, 3 and 4 of this important article, which deals with verification and observance of the treaty, cannot prevent direct recourse to the Security Council to eliminate possible doubts concerning observance of the treaty, in case the consultation and co-operation envisaged in those paragraphs cannot, for one reason or another, be initiated between a State party and another State which is also a party to the treaty. In that connexion my delegation has taken note of the clarification given by both Mr. Roshchin (CCD/PV.467, para. 14) and Mr. Leonard (ibid., para. 33) concerning the right of each State party to the treaty to appeal directly to the Security Council in case the consultations provided for in article III to eliminate possible doubts cannot take place.

63. I should also like to emphasize the importance, on the one hand, of the provisions in paragraph 6 of article III designed to take account of "the sovereign and exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law" and, on the other hand, of the new article VIII inserted in the revised text, which takes into account the Mexican suggestion concerning nuclear-free zones (A/C.1/995).

64. That being said, I should like now to make two short comments on wording. The word "specifically" in paragraph 1 of article I in the revised text seems to me to be redundant; it would be preferable, therefore, to delete it and say simply "or any other facilities designed for storing...". My second comment concerns the word "reasonable" in paragraph 2 of article III, where we read: "If ... reasonable doubts remain ...". In my opinion that word is vague and undefinable and it would be more exact to say, for example, "justified doubts". Moreover, one might wonder whether doubts could ever be "reasonable".

65. Before concluding, I should like to say once again that Morocco, a country which has a coastline of more than 1,500 kilometres along the Atlantic and the Mediterranean, and which is resolved to exploit fully and peacefully the resources of its seas, attaches great importance to the speedy conclusion of a treaty excluding the sea-bed from the nuclear arms race, as a first step towards the more complete demilitarization of that environment, so necessary to the survival and well-being of humanity.

(Mr. Khattabi, Morocco)

66. An eminent Soviet scientist, the late Noraïr Sissakian, observed that it is in the oceans and seas

> "where the major part of the organic matter formed on earth is found. However, so far the biological and mineral resources of the oceans have only been sporadically exploited. It is only natural that the rapidly increasing population of the earth should want to use them to the fullest extent. This has now become possible thanks to the rapid progress of science and different technological developments."1/

67. That is why we express our hope for the rapid conclusion of a treaty which for the time being, certainly, will have only a preventive value -- but nevertheless an encouraging one. However, we must avoid at all costs the exploitation of the sea-bed in even the distant future for destructive purposes, because humanity will need to expend just as much effort and money for the exclusively peaceful exploitation of the sea-bed and the ocean floor.

68. Mr. AHMED (Pakistan): Before I begin my statement may I, on behalf of the Pakistan delegation, extend a warm welcome to His Excellency the Minister of External Affairs of Brazil, who has honoured us by his presence in the Committee today? I also take this opportunity to welcome the heads of delegations who have taken their seats for the first time during the current session of the Committee.

69. In my statement today I wish to offer the views of the Pakistan delegation on the second revised draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof (CCD/279/Rev.2), presented by the co-Chairmen on 23 April for the consideration of the Committee. My delegation welcomes the submission of that draft and congratulates the co-Chairmen on their constructive approach and on the spirit of accommodation which they have shown in taking into account the views and suggestions offered in this Committee and during the twenty-fourth session of the General Assembly. A comparison with the first revised draft (CCD/269/Rev.1) shows that substantial progress has been made.

70. I shall refer briefly to the important changes in the text presented to us on 23 April. In its statement to the Committee on 23 October 1969 the Pakistan delegation expressed the view that the purpose of the treaty would be better served

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1/ The UNESCO Courrier, March 1965, p. 6.

(Mr. Ahmed, Pakistan)

if the geographical area in which prohibition should apply were defined in clearer language (CCD/PV.445, para. 29). That position was subsequently reiterated by the delegation of Pakistan in the First Committee. A large number of delegations have expressed, both here and in the First Committee, similar views on this question. We are therefore happy to see that the amendments proposed by the delegation of Argentina in its working paper (A/C.1/997) have been incorporated in the second revised draft of the treaty, except for some editorial changes. I should like to take this opportunity to express the appreciation of the delegation of Pakistan to the delegation of Argentina for its initiative on this important issue.

71. We are also glad to note that the disclaimer clause contained in paragraph 2 of article II of the earlier text has now been amplified and incorporated as a new article, article IV, in the second revised draft. The addition of the new article VIII, as a result of the initiative of the Mexican delegation, is another positive element in the draft treaty. My delegation also expresses its satisfaction at the considerable improvements which have been made in article III, on the question of verification procedures. For that we have to thank the Canadian delegation as well as the co-Chairmen, who have accepted most of the contents of the Canadian working paper (A/C.1/992). We have, however, noted that the references to international procedures and to the good offices of the Secretary-General of the United Nations contained in paragraphs 3 and 5 of the Canadian working paper have been omitted from the text before us.

72. In my statement on 23 October 1969 I expressed the view that the principle of international responsibility for verification procedures should be recognized by an appropriate provision in the treaty (CCD/PV.445, para. 31). We would have been happy if such a provision had been incorporated in the second revised draft. In this connexion I should like to say that the Pakistan delegation visualizes a gradual evolution of the process of verification leading to the acceptance in the near future of reliable, independent and effective international arrangements for verification.

73. The Pakistan delegation believes that the sea-bed and the ocean floor, which form two-thirds of the surface of the earth, should be preserved exclusively for peaceful purposes and the good of mankind. That vast environment must not be allowed to become an arena for an arms race. We therefore would have preferred total prohibition of the military uses of the sea-bed except for installations purely

(Mr. Ahmed, Pakistan)

defensive in nature. In this connexion I should like to refer to the third preambular paragraph of the draft treaty, which states that the treaty "constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race ..." and also contains a pledge "to continue negotiations concerning further measures leading to this end". My delegation believes that the treaty would be a significant first step in the achievement of the objective of the third preambular paragraph. We would therefore have liked to see the pledge incorporated in the operative part of the treaty, on the lines of the Swedish proposal (CCD/271). Here I should like also to support the idea put forward by the Polish delegation at our meeting on 18 June, that the Committee should keep on its agenda the question of the demilitarization of the sea-bed and the ocean floor, as formulated in the 1968 report to the General Assembly (CCD/PV.471, para. 9).

74. We have come a long way since the delegations of the Soviet Union and the United States submitted their separate drafts for a sea-bed treaty (ENDC/240 and ENDC/249) in the Committee in 1969. As I said earlier in my statement, substantial progress has been made since then, as a result of the discussions, formal and informal, and the constructive suggestions put forward by delegations both in this Committee and in the General Assembly. My delegation also appreciates the serious efforts made by the co-Chairmen to reach agreement on a draft text for the further consideration of the Committee. The draft treaty is not perfect, as was pointed out by Mr. Leonard in his statement on 23 April (CCD/PV.467, para. 41). I have indicated the areas where my delegation would have preferred to see improvements in the present text. We sincerely hope that the adoption of the treaty will lead to progress towards the objectives I have mentioned in my statement today. Meanwhile, my delegation believes that the draft treaty is in the interests of all the countries of the world and that it should be submitted to the twenty-fifth session of the United Nations General Assembly, in accordance with the Assembly's resolution 2602 F (XXIV) (CCD/275).

The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 477th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Hussein Khallaf, representative of the United Arab Republic.

"Statements were made by the representatives of Brazil, Mexico, Morocco and Pakistan.

"The next meeting of the Conference will be held on Tuesday, 14 July 1970, at 10.30 a.m."

The meeting rose at 12.5 p.m.

CONFERENCE OF THE COMMITTEE ON DISARMAMENT

CCD/PV.478
14 July 1970
ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND SEVENTY-EIGHTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 14 July 1970, at 10.30 a.m.

Chairman: Mr. I.F. PORTER (United Kingdom)

(Previous verbatim records in this series appeared under the symbols ENDC/PV.1-ENDC/PV.430).

GE.70-15455

PRESENT AT THE TABLE

Argentina:	Mr. C. ORTIZ de ROZAS
	Mr. A.F. DUMONT
	Mr. V.E. BERASATEGUI
Brazil:	Mr. R.E. SARAIVA GUERREIRO
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. I. PEINIRDJIEV
Burma:	U CHIT MYAING
	U KYAW MIN
Canada:	Mr. G. IGNATIEFF
	Mr. R.W. CLARK
	Mr. R.E. MOORE
Czechoslovakia:	Mr. M. VEJVODA
	Mr. J. STRUCKA
	Mr. F. MARESKA
Ethiopia:	
Hungary:	Mr. J. PETRAN
	Mr. I. SARKADI
	Mr. F. GAJDA
India:	Mr. M.A. HUSAIN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. F.L. OTTIERI
	Mr. R. BORSARELLI
	Mr. U. PESTALOZZA

Japan:	Mr. H. TANAKA
	Mr. H. OTSUKA
	Mr. T. SEKINE
	Mr. J. SAKAMOTO
Mexico:	Mr. J. CASTANEDA
	Mr. B. SEPULVEDA
	Mr. R. VALERO
Mongolia:	Mr. D. ERDEMBILEG
	Mr. Z. EREDO
Morocco:	Mr. M.A.A. KHATTABI
	Mr. A. BENKIRANE
Netherlands:	Mr. H.F. ESCHAUZIER
	Mr. E. BOS
Nigeria:	Mr. C.O. HOLLIST
	Mr. L.A. MALIKI
Pakistan:	Mr. K. AHMED
	Mr. T.O. HYDER
Poland:	Mr. W. NATORF
	Mr. K. ZYBYLSKI
	Mr. H. STEPOSZ
Romania:	Mr. I. DATCU
	Mr. C. MITRAN
	Mr. N. CHILIE
Sweden:	Mrs. A. MYRDAL
	Mr. A. EDELSTAM
	Mr. O. DAHLEN
	Mr. S. ERICSON

Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. I.I. TCHERNOV
	Mr. L.A. MASTERKOV
	Mr. Y.C. MAZARKINE
United Arab Republic:	Mr. H. KHALLAF
	Mr. O. SIRRY
	Mr. Y. RIZK
	Mr. M. ISMAIL
United Kingdom:	Mr. I.F. PORTER
	Mr. J.T. MASEFIELD
	Mr. R. HOULISTON
United States of America:	Mr. J.F. LEONARD
	Mr. A.F. MEIDLE
	Mr. W. GIVAN
	Mr. R.L. McCORMACK
Yugoslavia:	Mr. A. VRATUSA
	Mr. M. BOZINOVIC
	Mr. M. VUKOVIC
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (United Kingdom): I declare open the 478th plenary meeting of the Conference of the Committee on Disarmament.

2. Before calling upon the first speaker on my list I should like to say, on behalf of the Committee, how much we welcome the presence of Mr. Anton Vratusa, Deputy Secretary of State for Foreign Affairs of Yugoslavia. We know of his many other responsibilities, and we are particularly glad to see him back with us today as leader of his delegation.

3. Mr. ESCHAUZIER (Netherlands): On 24 February I presented some views of my delegation on a comprehensive programme of work (CCD/PV.452) and introduced a working paper on the problem (CCD/276). Since then we have given much thought to the problem and have discussed the matter with various delegations. We have also listened with particular interest to the statements of Mr. Vejvoda at our meeting on 30 April (CCD/PV.469) and Mr. Leonard at our meeting on 23 June (CCD/PV.472). If I am not mistaken, those two statements had in common the fact that they argued for a concentration on those measures of disarmament which are negotiable at this stage.

4. A decision on the negotiability of any measure would depend upon various factors. One of the important factors is the question whether a certain disarmament measure might be adopted even without the immediate participation of all militarily-important countries. Another factor, of course, relates to the question whether a particular measure would upset the military balance between the negotiating Powers. A third factor concerns the intrusiveness of the necessary verification procedures. According to Mr. Leonard, it should be the principal task of the members of this Committee to indicate those measures which are negotiable at this stage or in the foreseeable future (ibid., para. 23). Following that line of thinking our Committee would, it appears to me, establish at the same time by a method of selection its programme of work in response to General Assembly resolution 2602 E (XXIV) (CCD/275).

5. At this juncture I wish to recall that on 9 December 1969 the Netherlands delegation to the twenty-fourth session of the General Assembly made a specific reservation (A/C.1/PV.1716, provisional, p. 22) with regard to the last-minute amendment incorporated in the draft resolution that became resolution 2602 E (XXIV), replacing the words "to work towards" by the words "to work out" a comprehensive programme which would provide the Conference with a guideline to chart the course of

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its further work and its negotiations. In other words, to make myself quite clear, we saw this particular task ahead of us as an unfolding pattern rather than as a single exercise -- one short operation, so to speak, which could be successfully completed in the limited period between two consecutive sessions of the General Assembly.

6. We have studied with great care and interest the statement made by Mr. Caracciolo on 2 July (CCD/PV.475). In the course of his statement he elaborated some principal considerations with relation to a comprehensive programme, representing in general terms the views of a number of delegations with which his delegation had been in consultation. Those considerations were of a broader nature than a mere enumeration of desirable and feasible disarmament measures; because they were clearly placed in the context of our final goal of general and complete disarmament. They were the result of an attempt to tackle the problem in all its complexities and controversial aspects. It is understandable, therefore, that those considerations — preliminary as they are -- left many issues unsolved; but the merit of the attempt was and is that it focussed the Committee's attention on our immense unfinished job. My delegation is able to associate itself with the main premises set forth by the representative of Italy. The tasks ahead of us are well defined in United Nations General Assembly resolution 1378 (XIV) of 20 November 1959 and the Joint Statement of Agreed Principles of 1961 (ENDC/5). They still form the basis and starting-point for disarmament negotiations leading towards the goal of general and complete disarmament.

7. It has been stated by many others that the close relationship between disarmament on the one hand and international peace and security on the other should be constantly kept in mind. Progress in one field may affect new achievements in the other fields as well. This interdependency should not be overlooked in formulating a programme which could provide the Conference of the Committee on Disarmament with a guideline to chart the course of its further work and its negotiations. The ultimate goal of general and complete disarmament cannot be reached in isolation from the over-all political international situation but is closely correlated to it. The settlement of international disputes by peaceful means and the development of friendly relations among nations are prerequisites for the establishment of an international climate characterized by confidence and goodwill. The continued need to seek the co-operation of all States -- in particular of all nuclear Powers — in disarmament negotiations has been underlined by many delegations, including ours.

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8. It appears to me that disarmament is a gradual and continuing process. The programme serving as a guideline for our Committee should therefore deal with: first, measures to increase confidence; second, measures to prevent armament; third, measures to limit armament; fourth, measures of disarmament, and fifth and finally, general and complete disarmament. Partial measures have, of course, an intrinsic merit of their own, as my delegation pointed out in its working paper (CCD/276, para.10). Therefore we prefer to mention general and complete disarmament under a separate heading.

9. Obviously this last category would comprise a possible revision of the existing draft treaties on general and complete disarmament. While my delegation would unquestionably welcome any endeavours to that end by the authors of the two draft treaties, we are sceptical about the chances of success as long as no substantial further progress is made with regard to partial measures, in particular in the nuclear field.

10. Thus it would appear that the five groupings I have just mentioned constitute — in a loose and interchangeable order — the main elements or phases of a programme. The use of the term "phases" is important from a semantic point of view in order to avoid confusion with the consecutive "stages" of draft treaties on general and complete disarmament. At the same time the objective would be to maintain, to the extent possible, a balance between those measures throughout the process of developing and implementing the programme. I take it that the Canadian representative had the same thought in mind when he stated on 25 June:

> "Only through the pursuit of concrete measures will this Committee attain the ultimate objective of general and complete disarmament. On the other hand, I realize that we wish to avoid an approach so empirical and pragmatic that the General Assembly of the United Nations will not be able to discern any cohesiveness, co-ordination or direction in our targets and objectives." (CCD/PV.473, para. 13).

In our view a tentative list of the various measures falling within the five categories I have just mentioned might be drawn up, giving a broad indication of measures that might be negotiated in present conditions and in the future.

11. In his statement on 23 June to which I referred earlier, Mr. Leonard suggested another method of categorization of different measures of arms control and disarmament:

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namely measures already achieved; measures that might be negotiated under present conditions; and measures that might be negotiated in the future as progress is made towards a peaceful world (CCD/PV.472, para. 21). From my preceding remarks it follows that, according to our view, the second and third approach mentioned by the United States representative would become complementary instead of being alternatives. These suggestions would seem to be in line with paragraph 8 of the Agreed Principles of 1961.

12. The need for flexibility in the implementation of the various measures has been generally recognized. Timetables and target dates do not fit in with the complex and politically-sensitive character of arms-control and disarmament negotiations. Here again a clear distinction should be made between, on the one hand, the Committee's comprehensive programme of work and, on the other, the implementation of a disarmament programme envisaged in paragraph 4 of the Agreed Principles. That does not exclude, however, the overlapping of the two. The partial measures which have been adopted or are now under consideration are, in fact, elements of different stages of the proposals for general and complete disarmament. We have pointed that out in our working paper (CCD/276, para. 12).

13. Of course, certain "desirable priorities" and "interrelated measures" -- for instance, balanced packages -- could be outlined. In this connexion the question arises whether the proposed measures should simply be outlined or should be spelt out in detail -- for instance, containing various options as to how to implement a certain measure.

14. It would appear to us that in anticipation of a future political agreement studies of a predominantly technical nature could be undertaken. Such a study is already under way as a result of resolution 2604 A (XXIV) (CCD/275) concerning the exchange of seismic information. We wholeheartedly endorse what was said in that connexion by the representative of Canada (CCD/PV.473, paras. 23 et seq.). That study is closely related to the problem of verifying an underground test ban.

15. The Swedish working paper (CCD/287) may offer a starting-point for a broader survey of the range of options with regard to "strict and effective international control" as defined in paragraph 6 of the Agreed Principles of 1961: namely, verification requirements with emphasis on the nature and extent of arms control and disarmament measures. In his statement of 18 June the representative of Japan also dwelt extensively on the importance of solving, as he put it, "the problem of how to

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discover adequate means of verification" (CCD/PV.471, para. 27) with special reference to nuclear arms control and disarmament.

16. The highest priority will obviously continue to be given to further measures relating to the cessation of the nuclear arms race. At this juncture I would recall article VI of the non-proliferation Treaty (ENDC/226*). The prevention by the non-proliferation Treaty of horizontal proliferation can be regarded as one of the "preliminary measures" creating favourable conditions for negotiations on curbing vertical proliferation.

17. In his address to the conference at United Nations Headquarters on "The politics of disarmament: proposals for the 1970s" the Secretary-General of the United Nations stated very convincingly:

> "It seems clear that progress during the Disarmament Decade will, to a very large extent, depend upon two developments: firstly, the full implementation of the non-proliferation Treaty to halt the horizontal proliferation of nuclear weapons, and secondly, the making of substantial headway in limiting offensive and defensive strategic nuclear armaments, that is, in halting the vertical proliferation of nuclear weapons. Unless success is achieved in both these fields, it is difficult to conceive of much real progress in other significant disarmament or arms control measures". (Press Release SG/SM/1261, 22 May 1970, p. 6)

Without anticipating the results of the strategic arms limitation talks (SALT) it could be envisaged that an agreement on the limitation of strategic weapons would have a linkage with and a favourable effect on a cut-off of fissionable materials and a complete test ban.

18. The concept of a "balance", as outlined earlier, implies that the consideration of measures relating to conventional armaments and arms races should be taken into account also. Attention should be paid to the increasing build-up of arsenals and to the international trade in conventional armaments; although we fully realize the difficulties in trying to find a satisfactory solution. The expression "conventional armaments" or "conventional weapons" is often used as a means of distinguishing them from weapons of mass destruction. However, there is nothing conventional about the death and destruction they have brought upon mankind in the many wars and armed conflicts during our lifetime. The range and yield of those weapons are being continuously upgraded. Not only the major Powers but all of us — indeed, I venture to say, the world community at large — share a serious responsibility to seek effective and non-discriminatory methods for controlling conventional arms.

(Mr. Eschauzier, Netherlands)

19. We have noted with interest the suggestion of the Secretary-General of the United Nations in the speech I have just referred to that the United Nations could assemble and provide information along the lines of the Armaments Yearbook published by the League of Nations, which contained information on the level of armaments and armed forces, on military expenditure and on trade in arms.

20. Arms-control and disarmament negotiations and arrangements deserve to be considered in a regional context also. In his speech of 23 June Mr. Leonard gave two examples (CCD/PV.472, para. 18). The first was the treaty of Tlatelolco (ENDC/186, pp. 12-33), which is concerned with nuclear armaments solely; the second was a possible mutual and balanced reduction of forces in Europe, which might eventually constitute a "mix". In their declaration issued on 27 May in Rome, NATO Ministers reiterated their intention to seek a mutual and balanced force reduction in Europe with special reference to the central region. As envisaged in that declaration, negotiations to that effect would relate to stationed and indigenous forces and their weapon systems in the area concerned.

21. I have now reached a point at which I touch on subjects which are at least partly beyond the immediate scope of this Committee's activities. However, attention was rightly drawn by our colleague from the United States to the question of regional and bilateral negotiations and unilateral decisions. I think that this is a welcome contribution towards obtaining an overall view of the wide range of options existing in the broadest possible context of the Disarmament Decade. Resolution 2602 E (XXIV), paragraph 1 of which declares the 1970s a Disarmament Decade, provides the general framework within which this Committee has to draw up, in response to paragraph 2 of the resolution, guidelines for its own activities in the future.

22. Those were a few considerations in the mind of the Netherlands delegation; they do not have the special merit of originality but are designed to contribute to the fulfilment of the task entrusted to this Committee.

23. Before concluding I should like to avail myself of this opportunity to introduce the two working papers which were circulated by my delegation this morning (CCD/291 and CCD/292), and I hope my colleagues will bear with me for just another moment.

24. Briefly stated, resolution 2602 C (XXIV) requests this Committee to examine, without prejudice to existing priorities, possible methods of control of radiological warfare. In resolution 2602 D (XXIV) the Committee is asked, with the same proviso, to consider the implications of possible military applications of laser technology.

(Mr. Eschauzier, Netherlands)

The purpose of our two documents, each of which deals with one question separately, is merely to offer the Committee a basis f r discussion, at an appropriate time, with a view to reporting to the General Assembly on those two issues. I shall not attempt to paraphrase or sum up the contents of the two papers, since I am confident that members of the Committee will have ample time to study them. Suffice it to say that, after due consideration of the available information, our conclusions are: first, that it does not appear useful to discuss arms-control measures concerning the two categories of radiological warfare mentioned in resolution 2602 C (XXIV), paragraphs 1 and 2; and secondly, that there seems to be no need to consider arms control with regard to military uses of laser technology at this time, but that potential developments in that field should be kept under review.

25. Mrs. MYRDAL (Sweden): United Nations General Assembly resolution 2602 E (XXIV) of 16 December 1969, which requested this Committee to work out "a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament ..." (CCD/275), has become an impulse to some fresh thinking on this final goal of our negotiations. This has so far been reflected mainly in the discussions within a limited group of delegations which took place during the spring session and to which the representative of Italy referred rather fully in his intervention on 2 July (CCD/PV.475). I wish to pay a tribute in this connexion to the Italian delegation, which took the initiative in those discussions and which has largely been responsible for their preliminary — though, admittedly, as yet incomplete -- results. I am convinced that those "Preliminary considerations" on a comprehensive programme for disarmament which the representative of Italy exposed in the Committee (ibid., paras. 14 et seq.) form a useful basis for the elaboration of a programme which should contain not only general expressions of intentions and principles but some more substantive elements also.

26. My delegation has also taken due note of what has been said here by previous speakers on this matter, first by the representative of Japan on 18 June (CCD/PV.471), and by the representative of the United States on 23 June (CCD/PV.472). They have brought forward important considerations which will have to be taken into account in our further work. We also noted with great interest the statement at our last meeting by the Minister of External Relations of Brazil (CCD/PV.477); and we will of course study the statement made today by the representative of the Netherlands.

(Mrs. Myrdal, Sweden)

27. The purpose of my statement today is to bring into the discussion some additional elements and to highlight those which we consider particularly relevant in connexion with an overhauling of the programme aiming at general and complete disarmament. In formulating our thoughts we have endeavoured to follow the order established in the framework provided by the "Preliminary considerations" as presented by Mr. Caracciolo.

28. It has now become widely recognized that our task is rather to stimulate and guide a process whereby disarmament becomes gradually — but rapidly -- realized, than to devote our energies to an act of predetermination, creating by one stroke a complete treaty on general and complete disarmament. That view also pervades resolution 2602 E (XXIV), and it becomes particularly clear from the specific directive contained in its operative paragraph 4 that the comprehensive programme should "provide the Conference with a guideline to chart the course of its further work and its negotiations ...". The course should be charted with a view on its whole future perspective -- that is true --; but it should not, because it could not, be fixed in advance as a kind of railway time-table.

29. That approach is indicated in the "Preliminary considerations". In its introductory section, "Goal, principles and mandates", it states that "negotiations should continue with a view to reaching agreements on partial or collateral measures, facilitating and forming part of a programme of general and complete disarmament..." (CCD/PV.475, para. 15). The Swedish delegation whole-heartedly agrees. But, in order to know that we are on the right course, this must also mean that we should provide better opportunities than hitherto to measure our progress and to evaluate how much actual disarmament is being achieved by the agreements we succeed in bringing about. I shall revert to this suggestion at the end of my statement.

30. The second major section of the "Preliminary considerations", as presented by the Italian delegation, is concerned with "Main elements of the programme". At the outset is formulated a consideration which I believe we must at this very juncture bring into heightened relief: namely that "progress in disarmament is not an isolated matter" but is related to peace and security, settlement of disputes, a climate of confidence. Mr. Leonard also forcefully stressed these inter-relationships between disarmament and other issues, and so did Mr. Eschauzier today. Many of the considerations for a more integrated view of the context in which disarmament has to proceed are of a general character, often pertaining to a conflux of political and economic changes favouring an

(Mrs. Myrdal, Sweden)

atmosphere of confidence and good-will. I suggest that we should from now on specifically seek to introduce in a comprehensive programme for disarmament direct correlation with other United Nations activities. Pari passu with disarmament, a strengthening must take place of the United Nations machinery for establishing friendly relations; for settling disputes; for keeping a watch on conflicts brewing; for equipping task forces to observe and, in accordance with specific mandates, supervise standstill agreements, contested frontiers, evacuation of troops, national elections in formerly-contested areas; and for other peace-keeping activities in general.

31. United Nations work for disarmament and for securing peace is really indivisible machinery to safeguard peace must be built up at least at the same pace as that at which disarmament proceeds. I suggest that it would be fitting, in connexion with our reconsideration of a programme for general and complete disarmament after twenty-five years of United Nations existence, to bring into it a more clear-cut formulation of this need for integrated work on the two parallel roads of disarming national military forces and strengthening the international machinery for peace-keeping.

32. In such a process one principle becomes of paramount importance: namely the need for balance in regard to disarmament. That is also mentioned in the same second sector of the "Preliminary considerations". As that fundamental issue, as well as another one -- that of verification -- which we are constantly reminded of through the reference to "disarmament under ... international control", calls for some greater concretization, I intend to revert to those matters later in this statement.

33. In the second section of the "Preliminary considerations" there is mentioned further the advisability of conducting "special studies on certain subjects". To that point also I shall revert later, making some specific suggestions for such studies. However, an important remark must be made immediately -- as a matter of fact it is a word of caution. Studies should never be undertaken if they would run the risk of becoming substitutes for actual measures; study groups should never be set up to delay action. Disarmament is largely a political problem. Negotiations must be understood as having built-in studies, although most of them are conducted on a national basis. There is, of course, room also for studies under international agency guidance; but their role would seem to be more to review and amalgamate results of research carried out and enquiries already made, and at times, perhaps, even to put pressure on the negotiators to make haste to reach the necessary political decisions and, last but not least, to enlighten public opinion all over the world.

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34. Following the "Preliminary considerations" I come now to a third sector, entitled "Phases of the programme". It starts out by stressing the need for flexibility. That notion is inherent in the view we take of disarmament as a process of evolution. As I have already stated, that more organic approach debars us from prescribing strictly separate stages of disarmament, their content and their time-order. The representative of Japan carried that view even further in his interesting reflections on the political considerations according to which the disarmament measures for the Disarmament Decade should be chosen, relating particularly to the prospect of co-operation with the two additional nuclear-weapon Powers not so far participating in the disarmament deliberation.

35. I would rather turn the attention of our Committee to the choice of priorities among concrete measures. Reasoning in terms of goals, the "Preliminary considerations" give top priority to nuclear disarmament; and that is in line with what has by now become established United Nations policy. Within that broad definition, however, special priority has been accorded in several resolutions by the United Nations General Assembly to some clearly delimited measures, such as the comprehensive test ban and a moratorium on further testing and the deployment of new offensive and defensive strategic nuclear-weapon systems, the latter being the object of the very important bilateral negotiations between the Soviet Union and the United States, the strategic arms limitation talks (SALT).

36. At this point I wish to introduce a concrete suggestion for inclusion in the comprehensive disarmament programme. I suggest that we widen the top priority to weapons of mass destruction in general. That would immediately broaden the responsibility for progress to involve not only the nuclear-weapon Powers but all Member States. The main reason is, however, that not only nuclear weapons but all means of mass destruction belong in a very special category of horror weapons. According to the "laws of war" there has always been the concept that warfare should avoid causing unnecessary suffering for civilians. That concept was severely damaged with the emergence of aerial bombing. It would, however, certainly crumble completely if weapons of mass destruction were to be used again. The Conference of the Committee on Disarmament might also consider planning its future agenda so as to make possible a gradual extension of its consideration of weapons of mass destruction to all such means

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of warfare which through large-scale use may cause unnecessary suffering for civilian populations. That matter was touched upon in General Assembly resolution 2444 (XXIII) concerning human rights in armed conflicts, which in turn went back to a similar resolution adopted by the 1968 Teheran Conference on Human Rights.

37. While recognizing the priority goal of the prohibition of weapons of mass destruction on the road to general and complete disarmament, we must not forget the conventional armaments. The two draft treaties on general and complete disarmament presented in 1962 (ENDC/2/Rev.1; ENDC/30 and Add. 1-3) established rather precise goals for reduction of these types of weapons also. I am firmly convinced, however, that disarmament measures in regard to conventional weapons have to be approached by a very different avenue from those in regard to weapons of mass destruction -- that is, regionally rather than globally. They have, of course, to be dealt with in close connexion with the question of balance, which I shall discuss a little later.

38. With that I turn to the fourth section of the outline presented by the Italian delegation. That contains, so far, only a tentative list of items, singled out for further discussion and elaboration; but the first item mentioned is precisely priorities. I have already touched on that subject. However, when priorities are sought, not for establishing a certain order of ultimate goals but for outlining a concrete course of action in disarmament negotiations, a somewhat different point of departure should be chosen. One that offers itself immediately is that which has been called the logical systematization, denoted by the words "to prevent, to limit, to reduce and, finally, to eliminate armaments" -- or, in other words, non-armament measures followed by arms limitation measures and finally disarmament measures, constituting "main elements of the programme".

39. Up to now the international agreements achieved have belonged largely to the first category -- that is, non-armament measures. The Committee might wish to spell out further such measures which should be tackled when the one at present being discussed -- the sea-bed denuclearization treaty -- has been finalized. My delegation would strongly urge that, for instance, the further demilitarization of the sea-bed be included in such a list. In general, the possible opening up of new sectors of the arms race by future innovations and technical developments should be closed at an early date by appropriate non-armament measures. It is important to facilitate the civilian developments by establishing at an early stage a security framework against militarization. An example could be the recent development of deep-sea exploration.

(Mrs. Myrdal, Sweden)

40. However, it is more important for us to embark energetically on the second category -- the arms limitation measures. The primary step here must be to establish effective freezes where the present situation runs the risk of deteriorating. In relation to nuclear weapons, this would require that urgent steps be taken to reach the comprehensive test ban, the cut-off of fissionable material for weapons purposes, and a moratorium on testing and deployment of more sophisticated delivery systems. Possibly the idea of bans on testing and deployment could be extended to cover also certain other weapon developments and certain geographical areas — for instance, international waters and the air space over them.

41. The arguments for the freeze approach, for putting a brake on the arms race even before it can be reversed, have been brought forward so often in this Committee that it seems superfluous to repeat them. I think that the most important is that the continuing arms race does not lead to increased security but rather — paradoxically enough — to increased insecurity for all States. Another argument is the release of scientific and technical resources for constructive development purposes, both national and international.

42. The last category, reduction and elimination through destruction of existing weapons, should first apply to the weapons of mass destruction. It might be easier to start with some older types, such as the "dirty" nuclear weapons still in stock in the nuclear-weapon States and old stocks of chemical weapons, the destruction of which could not have any impact on the overall balance between the major Power blocs but might have a certain effect as a confidence-building measure and thus pave the way for more far-reaching disarmament.

43. In his speech on 23 June the representative of the United States suggested another way of presenting a work programme which would be pragmatic rather than systematic. He outlined an order of measures achieved, measures possible of achievement in the near future, and later measures (CCD/PV.472, para. 21). At only slight variance with that scheme, one could suggest that we now place first and foremost on our agenda measures which are already well prepared. We should choose to complete what we have begun or, to be more specific, proceed towards comprehensive bans where we have or are about to establish partial ones.

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44. Thus the Moscow partial test-ban Treaty (ENDC/100/Rev.1) should be urgently completed by a treaty also prohibiting underground nuclear weapon tests. Likewise the Non-Proliferation Treaty (ENDC/226*) should be completed by an agreement on "cut-off" of further production of nuclear material for weapons purposes, thus putting an end to so-called vertical proliferation within the nuclear-weapon Powers. The partial sea-bed treaty (CCD/269/Rev.2) at present under discussion should similarly be completed by further measures limiting the use of the sea-bed for installations of a military character. The Geneva Protocol of 1925 (A/7575/Rev.1, annex VI) prohibiting the use in war of chemical and biological weapons should be strengthened by prohibitions concerning production, testing and stockpiling of those weapons. The nuclear-free zone in Latin America provided for in the Tlatelolco Treaty (ENDC/186, pp. 12-33) has to be followed by similar measures in other regions. The list could probably be made still longer.

45. Such a course would, as we all recognize, largely coincide with the one suggested according to the so-called logical priority order. I would suggest that the "logical" and the "pragmatical" approaches should be combined, but that the aim should definitely be the complete inventorizing of possible disarmament measures, not neglecting those which have hitherto been unexplored.

46. I shall now turn to the issue of balance mentioned under the heading "General considerations". Balance, as we see it, cannot mean scrapping gun for gun, or reducing armies soldier for soldier or arsenals weapon-type for weapon-type. It must rather mean such packages of disarmament measures by which a mix is achieved which is judged by the parties to give a satisfactory sense of balance.

47. What does that imply for our work? The principles and problems of balance have usually been focussed on the question of balance between the major alliances or, more directly, between the two super-Powers. Such a balance, although approximate, has existed for some time. The great risk now is that the arms race might unsettle it. Only through real disarmament measures can a realistic and, at the same time, peace-preserving balance be obtained, to be followed through to the ultimate goal: complete security within the context of general disarmament. That is, as I pointed out earlier, why a freeze of the present situation, gradually allowing a move to a lower level, is so important a start. It is important not only for the major Powers themselves but also for all the medium-sized and smaller nations of the world.

(Mrs. Myrdal, Swedon)

48. As seen from the perspective of their security, the situation in the world is certainly shockingly unbalanced. Only by greater limitations and reductions on the part of the major Powers can a more equalized situation be achieved. All the many nations of the world are directly concerned with any plan for conventional disarmament measures; and in this field the question of balance, first and foremost, is a regional matter. The need for regional agreements has to be definitely stressed in any reformulation of a comprehensive disarmament programme. Here packages should evidently also contain elements of a political confidence-building nature, such as non-aggression pledges, as well as elements of international peace-keeping, which I mentioned before. It would of course not be possible to spell out within this Committee any priority order among the various regions of the world. A recommendation to start regional negotiations should, however, have high priority.

49. The third item which I want to treat rather more specifically is also in the list: namely verification. In this connexion I refer to the Swedish working paper presenting the ways in which verification has been dealt with in various arms control and disarmament treaties and proposals (CCD/287). That list clearly indicates that in our work we have hitherto lacked a systematic guide for selecting appropriate verification methods.

50. As the Conference of the Committee on Disarmament has now gained considerable experience on verification issues, some general ideas on this important matter ought to be elaborated in our comprehensive disarmament programme. It must be recognized, first, that one hundred per cent certainty can never be obtained by any verification system; second, that probably only rarely is one method of control sufficient. In the concluding paragraph of our working paper we suggest that a combination of several methods should be employed, mutually fortifying each other. That would probably enhance the prospect of achieving the necessary assurance that a certain arms-control measure was being observed by all parties. These ideas might be further elaborated. We would further, for our part, particularly want to stress the value of the notions of open reporting, exchange of information and internationalization of procedures as features of any future verification systems. They all serve the purpose of making controls less obtrusive and less discriminatory; they also have positive side-effects, as they contribute to a climate of understanding and interdependence in the world community.

(Mrs. Myrdal, Sweden)

51. More specific is yet another method of verification of which we should like to remind the Committee. We have many times had occasion to suggest as an integral part of some, or perhaps most, control systems an approach labelled "verification by challenge", with its voluntary decision by a party under suspicion of having violated a certain engagement to free itself through the supply of relevant information, not excluding invitation to inspection by an outside party or organ. As an ultimate step in the verification procedure there would then follow the submission to a United Nations organ -- for instance the Security Council -- of the complaints, eventually coupled with a notice of withdrawal.

52. Before concluding I should like to mention one further point which is not apparent from the list as presented by the representative of Italy. I would call that item evaluation. It would involve a constant and up-to-date comparison between the direction and rate of change in regard to armaments and disarmament. In such a balance-sheet the build-up of arsenals would constitute the negative side. At the same time it would serve to pinpoint quantitatively how increases in armaments make our disarmament agenda heavier. I see no need to amplify this statement with figures, as that has been done by many speakers earlier in our debate. It may suffice to say that since 1962, when this Committee started its negotiations on disarmament, world armament costs and the quantity and quality of weapons of mass destruction as well as conventional arms have multiplied many times and spread in all directions over the world.

53. I have to add one word in regard to international disarmament studies. In a statement at a conference in New York on 22 May this year the Secretary-General of the United Nations made a recommendation for an international study of the economic and social consequences of the armaments race and of massive military budgets. I would like strongly to support that suggestion. Such a study would serve also to establish certain categories which could be utilized later in the recurrent accounting of armament and disarmament which I have just been proposing under the heading of evaluation.

(Mrs. Myrdal, Sweden)

54. Such a study might also make more meaningful the claims that expenditure on armaments be redirected to peaceful economic and social pursuits, both within nations and internationally to less-developed countries. We are reminded of that aspect by General Assembly resolution 2602 E (XXIV), operative paragraph 6 of which recommends that —

> "... consideration be given to channelling a substantial part of the resources freed by measures in the field of disarmament to promote the economic development of developing countries and, in particular, their scientific and technological progress." (CCD/275)

I have no doubt that we must learn to think more and more, not in terms of transfers of definite sums or percentages from the fiscal budgets of nations, but -- exactly as said in the resolution -- in terms of redirection and reallocation of both material and personnel resources, not least the scientific and technical ones, which are abundant in the rich nations but are also tied up to an unreasonable extent in military tasks.

55. I wish to end this statement by stressing the importance of the Committee's arriving speedily at an agreed text of a comprehensive disarmament programme. The General Assembly has asked for our help in this regard. We cannot face the other Members of that body in the autumn without a substantial result. Our rethinking of the disarmament programme should be such as to rekindle their hopes that serious efforts at reaching agreements and implementing them will be made. I therefore strongly urge all other delegations to state their views on the content of the programme so that we can go to work together as soon as possible and hammer out a final text to be submitted in due time as the contribution of this Committee to the twenty-fifth anniversary of the United Nations. It should be cogent and also forceful enough to ensure that in the coming years disarmament shall not be so much of empty gestures as, quite honestly, it has been in the past quarter-century.

56. Mr. T.ILaK. (Japan): At the last session of the Conference of the Committee on Disarmament the Japanese delegation suggested that the Committee should first try to reach basic agreements on matters of substance regarding the prohibition of chemical and biological weapons and then proceed to the consideration of the legal formulas embodying such agreements (CCD/PV.456, para. 82). It is gratifying to note that since then useful and concrete discussions have taken place in this Committee.

(Mr. Tanaka, Japan)

Today I should like to express the views of my delegation on some of the aspects of matters of substance relating to the question of the prohibition of chemical and biological weapons.

57. One of the major obstacles to the achievement of the prohibition of chemical and biological weapons is the question of verification. The Japanese delegation has already suggested that an international meeting of experts should be held as early as possible in order to examine how to establish effective means of verification to ensure compliance with the obligation to prohibit the development, production and stockpiling of chemical and biological weapons, with particular emphasis on chemical weapons.

58. In this connexion we are pleased to note that, during the plenary as well as the informal meetings of this Committee, valuable views have been exchanged on the question of verification. We still believe, however, that in order to facilitate our deliberations on the prohibition of chemical and biological weapons it would be most useful if experts got together to study further various technical aspects of verification, including those raised at formal as well as informal meetings of this Committee, and to make available to the Committee the results of their study. In this regard I wish to pay a high tribute on behalf of my delegation to the representative of Italy for the efforts he made and the initiative he took in submitting at our 474th meeting a working paper concerning the possible convening of a group of experts (CCD/289).

59. I should now like to elaborate some of the technical problems on which we deem it appropriate to seek the views of experts. There are technical aspects to be studied with regard to the question of what should be prohibited. As chemical and biological agents, in particular chemical agents, are widely used and produced in peaceful industries, due consideration should be given to ensuring that the prohibition of chemical and biological weapons would not hinder the development, production and possession of those agents for peaceful purposes. The United Kingdom draft convention prohibits the production and acquisition of —

> "... microbial or other biological agents of types and in quantities that have no independent justification for prophylactic or other peaceful purposes" (EWDC/255/Rev.1),

and I believe that similar exceptions should be made in the case of chemical agents as well.

60. I also believe that studies should be made on the prohibition of the development, production and stockpiling of such ancillary equipment as would facilitate the use of chemical and biological agents for hostile purposes.

(Mr. Tanaka, Japan)

61. Verification of compliance with the prohibition of the production of chemical and biological weapons, in particular of chemical weapons, presents the most difficult problem. In the case of chemical agents regular inspections would not be practicable; since those agents are produced in chemical plants which exist in great number in industrial countries. It follows, therefore, that we would have to be content with recourse to ad hoc inspections based on complaint procedures. At the same time, it would be desirable to establish a reporting system on the statistics of certain chemical substances concerning the amount of their production, exportation and importation as well as consumption for different purposes, so that those statistics might be used as part of the data forming the evidence on which a complaint is to be based. Since it is impracticable to report the statistics of all chemical substances, it would in our view be necessary to limit the scope of the items to be reported.

62. The scope of the chemical substances to be reported would properly be studied by a group of experts. We, on our part, feel that as far as chemical substances are concerned a certain level of lethal dose by hypodermic injection could be employed as a criterion for this purpose. For instance, if we are to report the statistics of the chemical substances the lethal dose of which is below the level of 0.5 milligrammes per kilogramme of body weight, together with their specific intermediates in the production process, then chemical substances having poisonous effects equivalent to modern nerve agents, as well as more lethal chemical agents which may be found in future, will be covered.

63. In order to limit further the scope of the substances to be reported, we might as well exclude those substances which are obviously unsuitable for use as methods of warfare. Here we have in mind those substances which are chemically unstable or those which are rendered ineffective as weapons when absorbed through a respiratory or percutaneous passage.

64. The prohibition of the stockpiling of chemical and biological weapons leads us to the problem of destroying those weapons or diverting them to peaceful purposes. Since the stocks of biological weapons, as compared with those of chemical weapons, would be small in quantity and their destruction technically easy, their disposal might be completed within a relatively short period. In the case of chemical weapons, however, their stocks being huge and the work involved in their depoisoning complicated, it might take considerable time to destroy them. Therefore it would be useful to study safe and efficient methods for their destruction.

(Mr. Tanaka, Japan)

65. At the same time, consideration should also be given to the question of how to make public the types and quantities of the agents and ancillary equipment which have been destroyed or diverted to peaceful purposes. As suggested by the Japanese delegation at the last session of this Committee, it would be useful to prepare in advance a roster of experts on chemical and biological agents or weapons so that an investigation team could be formed without delay (CCD/PV.456, para. 82). Studies should be undertaken on the composition of the investigation team, and possible check-points for and technical methods of the investigation, as well as on the possibility of using the facilities of international organizations, such as the World Health Organization. Furthermore, the question of the addition to or revision of the list of items to be reported and the means of improving the methods of investigation should also be studied.

66. Having stated our views on various problems on which we deem it appropriate to seek the opinion of experts, I should like now to express the views of the Japanese delegation on some of the problems of substance which have been raised in this Committee, in order to expedite our deliberations on the question of the prohibition of chemical and biological weapons.

67. First of all there is the question of whether the prohibition should cover not only the development, production and stockpiling of chemical and biological weapons but also their use. Views have been expressed that the undertaking of the obligation not to use chemical and biological weapons is laid down in the Geneva Protocol of 1925 (A/7575/Rev.1, annex VI) and that it would weaken the Geneva Protocol if we were to make a similar undertaking. However, in view of the fact that many States have attached reservations to the Protocol, we think each State should undertake, in so far as it has not yet done so, never in any circumstances to engage in chemical or biological methods of warfare.

68. Under the United Kingdom draft convention any party which believes that biological methods of warfare have been used against it may lodge a complaint with the Secretary-General of the United Nations, submitting all evidence, and request that the complaint be investigated and that the result of the investigation be reported to the Security Council. We believe that those procedures could be applied to all cases of the use of chemical and biological methods of warfare.

69. Regarding the prohibition of the development, production and stockpiling of chemical and biological weapons, it should be agreed that a State which has reasonable doubts that another State has fulfilled the obligations may ask the latter

(Mr. Tanaka, Japan)

for consultation with a view to removing those doubts. If the doubts persist after such consultation, the State may request the Secretary-General of the United Nations to investigate the case and report the result of that investigation to the Security Council. To that end the Security Council should, by its resolution, request the Secretary-General to take such measures as will enable him to conduct the investigation. An abuse of recourse to such complaint procedures would properly be checked through the process of consultation between the States concerned.

70. Of course, the State having such a doubt might refer the matter directly to the Security Council. In that connexion we should like to emphasize that the functions of the Secretary-General, as we envisage them, in this case are those of fact-finding, whose purpose is to facilitate the deliberations of the Security Council, on which the primary responsibility for the maintenance of international peace and security is conferred under the Charter of the United Nations.

71. The question of applying sanctions in case of violation of the obligations would best be dealt with by the Security Council. Accordingly, as the delegation of the United Kingdom proposed, the Security Council should by its resolution declare its readiness to consider urgently what action it should take if it concludes that the complaint is well founded.

72. Today I have expressed our views on matters of substance regarding the prohibition of chemical and biological weapons. As we are all well aware, no arms control and disarmament measures can be achieved without political decisions, particularly those of militarily-important States. I believe, however, that such political decisions could be facilitated by scientific and technical evaluations of such matters as the adequacy or feasibility of international control corresponding to each specific arms control and disarmament measure, and the risks involved. That is the very reason why we think it important to seek the views of experts on the technical aspects of the question of the prohibition of chemical and biological weapons.

73. Mr. VRATUSA (Yugoslavia): May I first of all thank you, Mr. Chairman, for your kind words of welcome to me and at the same time assure you that I am happy to be here again and to be working under your chairmanship?

74. The Yugoslav delegation attaches great significance to the proclamation of the seventies as the Disarmament Decade. That decision of the General Assembly is undoubtedly a reflection of the international community's growing concern over the

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horrifying arms race and of the deep dissatisfaction with the sluggish pace at which headway on disarmament is being made. Moreover, it is one more effort for political action designed to give a new impulse to activities in this field.

75. In proclaiming the Disarmament Decade the General Assembly has requested the Conference of the Committee on Disarmament —

> "... to work out ... a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline to chart the course of its further work and its negotiations ..." (General Assembly resolution 2602 E (XXIV); (CCD/275).

The General Assembly's request places before us, as we in the Yugoslav delegation understand it, the task of elaborating such a comprehensive programme as will not only advance the work of the Conference of the Committee on Disarmament but also promote the activity of the international community at large. In other words, such a comprehensive programme should, when adopted by the General Assembly, serve also as guidance for the programming of activities by other forums and bodies dealing with disarmament.

76. In its statement to this Committee on 10 March (CCD/PV.456), the Yugoslav delegation indicated in general terms its approach to this problem. On that occasion we stressed our belief that it was possible to elaborate such a programme; while at the same time we indicated our awareness of the related problems and difficulties. Since that time we have continued the effort to elaborate further the necessary elements, taking into account what has been said about this matter on various occasions in this Committee, at the General Assembly and at other relevant places. In April we also took part in the efforts of a group of countries to become as fully acquainted as we could with the views expressed by, and the assessments of possibilities made by, a number of countries. With all that in view, my delegation would like to offer some assessments which might be helpful for a closer identification of our task.

77. First, and above all, a comprehensive programme of disarmament should be sufficiently realistic to be widely acceptable but at the same time ambitious enough to give thrust to the negotiations on disarmament and help to achieve an agreement leading to cessation of the arms race and to swifter development of the disarmament process itself, that is, to general and complete disarmament.

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78. Second, preparation of the programme should not degenerate into an end in itself, nor should the debate on the programme be permitted to drag on ad infinitum or to overshadow efforts dealing with individual urgent issues in this field.
79. Third, the programme should take as a point of departure the results that have been achieved in twenty-five years of efforts, while, naturally, taking into account all new elements in this area.
80. Fourth, goals, principles and relationships within various sections of the disarmament problem which have already been defined and on which agreement has already been reached should be taken as a basis and encouragement. In other words our further progress should be conceived in terms of concrete measures based on principles that have already been adopted and agreed, on treaties that have been concluded, on General Assembly resolutions and on other relevant international acts.
81. Fifth, all States and nations should take part in these efforts, as disarmament and security are indivisible and interdependent. Moreover, the world community should be given adequate information about the problems of disarmament and about armament itself and its negative impact on economic and social development as well as on peace and security in the world, so that -- and this is of special importance -- the world community might bring its influence to bear on the strengthening of disarmament efforts.
82. Sixth, the United Nations, as the widest international forum, competent and responsible in matters of international peace and security, should steadily and intensively improve ways and means of making an active contribution towards that goal.
83. What we are about to suggest at this stage is simply some of the elements for such a comprehensive programme. We hope that they will be useful in throwing some more light on this problem and in helping us to comply with the General Assembly request contained in the resolution I have mentioned.
84. It goes without saying that the programme is supposed to comprise different groups of measures. But it must be made clear at the outset that this is not the sole way in which various measures may be grouped; nor is the sequence of measures appearing here meant to prejudge priority, especially if the further development of the international situation offers new opportunities for certain solutions or for solutions that are not mentioned in the programme we are going to elaborate.
85. In the first place, I should like to underscore the need for a more propitious international climate if faster progress is to be made in disarmament generally. I have in mind, above all, the strict application of United Nations Charter principles

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in international relations by all States in their everyday practice, as well as respect for United Nations decisions and faithful fulfilment of international agreements by everybody. In this connexion it is a source of satisfaction that the twenty-fifth anniversary session of the General Assembly will, it is anticipated, adopt the declaration on the codification of the principles of coexistence. What is most important, however, is to put these principles to work, to apply them on a day-to-day basis and, in addition, to develop further and consequentially the mechanism of the United Nations for peaceful settlement of disputes.

86. The achievement as soon as possible of United Nations universality, above all by restoring its legitimate rights to the People's Republic of China and by admitting the divided countries to the United Nations, is particularly significant not only because it is indispensable to implement the principle of universality of the United Nations, but also because it would ensure the participation of all militarily-significant countries, and above all the nuclear Powers, in the process of negotiations on disarmament. The Yugoslav delegation attaches special importance to that issue.

87. More precise regulation of the question of allocating a specific percentage of the funds saved through disarmament for assistance to the developing countries is the next imperative task, which should be carried out on a simultaneous and parallel basis. This important topic has been discussed on various occasions in this Committee, at the General Assembly, at the Conference of Non-Nuclear-Weapon States and in other forums. This matter should not be deferred further. The Disarmament Decade and the Second Development Decade, two important international actions, coincide in time. The United Nations Secretary-General himself recently described in dramatic terms the urgency of the situation in both fields and warmly recommended that they be dealt with parallel to each other. We associate ourselves with his appeal and suggest that special attention should be devoted to this problem.

88. Of course, decisions on most of the foregoing questions are outside the domain of this negotiating body. However, the General Assembly resolution calls upon us to take account of all the aspects of cessation of the arms race and of general and complete disarmament. This makes it incumbent on us to keep all significant premises in mind in working out the programme. It might even be said that these are not all the possibilities and imperatives of direct significance in creating conditions conducive to more rapid progress in the disarmament field and, first of all, in creating the necessary confidence among nations. My delegation stands ready to consider with the closest possible attention all other proposals of this nature.

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89. As regards the core of the problem -- the limiting of the arms race and disarmament measures -- we have seen that a variety of approaches is possible. There are opinions to the effect that the programme can establish only in principle the objectives to which we should aspire in the course of the Decade. We feel, however, that together with these objectives some approximate schedules and tentative priorities should also be set. As we see it, such a programme could provide a guideline for the organized efforts of this Conference, or other negotiating bodies, while simultaneously adjusting itself to new requirements.

90. I need not stress once again the importance of collateral measures for the creation of improved international conditions which would serve to facilitate progress in the disarmament sphere. We have already had the opportunity to see what a positive impact measures of this nature, if achieved, can have. Although we realize the difficulties with which we are going to be faced, nevertheless we suggest that the following at least should find adequate expression in the programme: concluding a convention prohibiting the use of nuclear weapons; stopping the escalation of military presences on foreign territories and bringing about gradual military disengagement on a regional basis; refraining from any manifestation of force in relation to other countries -- such as, for instance, holding manoeuvres in the vicinity of the boundaries of other countries; reducing military budgets; and so on. Some of those measures could be put into effect immediately, on a gradual basis or in the form of a unilateral renunciation as a contribution to the improvement of international conditions.

91. The Yugoslav delegation gives precedence, among measures for preventing armament and measures for restricting armament, to measures against the proliferation of arms of mass destruction, especially nuclear arms in general. I have in mind also the treaty prohibiting the emplacement on the sea-bed and the ocean floor and in the subsoil thereof of nuclear and other weapons of mass destruction. The draft of that treaty (CCD/269/Rev.2) is under consideration and the Committee is justifiably expected to be able to submit it to the General Assembly's twenty-fifth anniversary session next autumn.

92. Another step in that direction should be the creation of denuclearized zones. The Treaty on the Non-Proliferation of Nuclear Weapons (END/226*) has smoothed the way for the creation of such zones. This should be taken up with the direct

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goal of withdrawing nuclear weapons from foreign territories. Practical measures in the direction of limiting armaments should also result from the strategic arms limitation talks. In line with the appeal made by the General Assembly of the United Nations at its twenty-fourth session (resolution 2602 A (XXIV)), the two Powers are expected to accept a moratorium on further testing and deployment of such weapons.

93. A ban on all nuclear tests would be another concrete measure in stopping the arms race. That problem too is ripe for solution. Practically speaking, what is needed is only a political decision by those who conduct tests to stop them. The overwhelming majority of governments have adopted a position against all tests. That opposition enjoys the support of the broadest sections of the populations all over the world. In addition, compliance with that request is also a commitment and obligation of the nuclear Powers under the Moscow Treaty (ENDC/100/Rev.1).

94. May I add that in the light of all existing circumstances it is realistic to expect an appropriate treaty on the cessation of further production of fissionable material for military purposes to be concluded soon? Further, if this assessment is well founded, it is not an exaggeration to suggest the possibility of preparing a treaty banning further production of nuclear weapons before the end of this Disarmament Decade if there is timely clarification of a number of problems connected with that issue.

95. I should now like to take up measures of disarmament.

96. Measures of nuclear disarmament, as we have agreed so many times, are among the most important and the most urgent in the sphere of disarmament. Most probably it is still difficult to concretize them adequately and put them in the proper order at this particular stage so as to postulate a programme of some kind for their adoption. As we see it, it would be useful for the nuclear Powers to submit within a reasonable period of time -- say three years -- a detailed programme of measures in that sphere.

97. In the field of non-nuclear disarmament we feel that at this stage the international community should focus attention above all on achieving a complex ban on research for weapons purposes and the development, production and possession of chemical and biological weapons, and the destruction of existing arsenals. As a matter of fact, this is a problem which the international community is already tackling intensively. Judging from the information available now, which is also the subject of our discussion in this body at present, the difficulties concerning

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control could be surmounted. It is therefore to be expected that the complex of problems of chemical and biological weapons will be solved in the early stages of this decade. My delegation wishes to underscore the positive trend already existing towards acceding to or ratifying the Geneva Protocol of 1925 (A/7575/Rev.1,annex VI). It was a source of satisfaction to us to hear that Japan and Brazil had recently decided to join the countries which have ratified that Protocol.

96. A further, or parallel, type of measure which should be part of the programme is the balanced reduction of armed forces and armaments in various regions. In connexion with this category of regional measures I should like to underline particularly the significance that Yugoslavia, as a European country, attaches to the endeavours to initiate the implementation of such measures on this still deeply divided continent, overburdened as it is by an enormous concentration of all kinds of weapons and armed forces, which are stationed also on foreign territories. For all these reasons the present positive trends towards strengthening European security and promoting co-operation among all States should be encouraged. And, vice versa, this favourable climate should stimulate the undertaking of more efficient measures towards the aforesaid goal.

99. This brings me to a special issue. I refer to the problem of the fulfilment of obligations and commitments on the basis of various treaties. The most important commitment of this kind is the implementation of the Treaty on the Non-Proliferation of Nuclear Weapons. As is well known, that Treaty imposes tasks in three fields: that of disarmament, that of international security and that of the utilization of nuclear energy for peaceful purposes. I do not intend to go more deeply into that issue now; but it is worth stressing that it is evident that this problem represents a very important matter, since the Treaty on the Non-Proliferation of Nuclear Weapons has already come into force.

100. There is one more issue upon which I should like to comment, the problem of general and complete disarmament. It is not my intention to deal at length or in detail with that question now, but I cannot resist this opportunity also to call the attention of the Committee to this problem, the solution of which we long ago agreed is our basic goal and an imperative premise for lasting peace and security. This is no doubt a very complex problem; and a pronounced political will and a sense of responsibility on the part of all Governments are needed if we are to approach it with any prospect of success.

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101. May I remind the Committee in this connexion that it would be purposeful to develop further the schemes presented by the United States of America and the Soviet Union as long ago as 1962 (ENDC/30 and Add. 1-3, ENDC/2/Rev.1)? These schemes could be transformed into very efficient instruments for orientation and future commitments in securing continuing, rational and appropriate efforts for achieving general and complete disarmament under effective international control. It would be helpful, therefore, to explore the possibility for the Conference of the Committee on Disarmament to devote a certain number of meetings each month exclusively to this problem. We would hope that that would be the way to achieve a greater degree of clarification and to bring the positions of various countries closer together or even possibly to pave the way for new proposals within the next few years.

102. It goes without saying that efforts for general and complete disarmament should not be limited to this Committee alone. They should be stepped up also in the United Nations General Assembly. As we know, this problem has been part of the agenda of the General Assembly for the last ten years or so. However, in practice, that body has only barely, and only from time to time, touched upon the substance of the problem. It is therefore necessary that the General Assembly -- which means above all the First Committee -- set aside the time needed to cope thoroughly with this problem. In fact, it is probably time that everything necessary be done in the General Assembly to orientate the First Committee more fully or exclusively towards dealing with the issues of peace and security, which means also disarmament. That view seems to be meeting now with a more and more positive response.

103. In addition, we think that it would be desirable to ensure that there took place in the General Assembly a regular review of the implementation of the programme, including an obligatory report on activities relating to disarmament outside the United Nations system as well as within it. In addition to that, it may be necessary to make periodical assessments of possible needs for eventual adjustment of the programme -- let us say, every three years -- to a new situation that may have developed.

104. We know from experience that we can envisage parallel efforts in a number of forums also in future. For instance, the bilateral strategic arms limitation talks are proceeding parallel with our work here. Furthermore, we are witnessing activities in connexion with European security which, if the positive trends

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continue, may be expected to yield concrete consideration of measures designed to reduce armaments on a regional basis. It would be desirable to undertake similar efforts in other regions as well.

105. The United Nations Disarmament Commission could, we are sure, also engaged actively in meeting situations as they arise. It could, for example, initiate substantive treatment of the problem of security, of the so-called negative and positive guarantees, and so on.

106. We continue also to support the idea of a world conference on general disarmament or on specific individual problems, whenever a concrete need arises.

107. In regard to national efforts, the mobilization of minds and the organization of research work and preparation in the sphere of disarmament, I think we might all agree that in most countries national efforts in the armament field transcendbby far any organized effort for disarmament. The latter is still sporadic and extremely limited; usually, even financial resources are lacking for such undertakings and research. It is therefore urgent to devote more attention to this matter than we have done so far.

108. Before ending my statement I should like to express the full support of the Yugoslav delegation for the appeal addressed to this Committee by Mrs. Myrdal, the representative of Sweden, earlier this morning; for we fully share the view that it is very important for our Committee to arrive speedily at an agreed text of a comprehensive programme of disarmament. The Yugoslav delegation is aware of the difficulties with which the Committee wil be faced in endeavouring to reach that goal. The task before us requires courage and the political will for action to translate words into deeds.

109. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (translation from Russian): First, allow me to associate my delegation with the welcome extended to Mr. Vratusa, Deputy Secretary of State for Foreign Affairs of Yugoslavia, who has resumed his participation in the work of our Committee. His presence here is an indication of his country's interest in the problems being examined by this Committee.

110. I should now like to turn to the question of chemical and bacteriological weapons, which is what we intend to touch upon in our statement today. The problem of the complete prohibition of chemical and bacteriological weapons has been discussed at several sessions of the Committee on Disarmament. As the Soviet delegation has pointed out in the previous discussion, our objective is to reach commonground among the

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members of the Committee on certain questions of principle: that chemical and bacteriological weapons must be prohibited completely and unconditionally, and that the starting-point for further measures to prohibit such weapons must be the 1925 Geneva Protocol (A/7575/Rev.1, annex VI). That important objective should be the basis of further discussion of the problem.

111. However, the Committee has encountered some difficulties which are hampering our pr progress. Most of the controversy at present is over two points. The first is whether there should be provision for the simultaneous prohibition of the production and stockpiling of chemical and bacteriological weapons in a single agreement, or whether the production of bacteriological weapons alone may initially be prohibited, as urged, for example, by the delegations of the United States and the United Kingdom. Admittedly, the proponents of this approach do not deny the need for the prohibition of the production of chemical warfare agents, but they propose that it be postponed to some later stage by way of a separate agreement. The second controversial point involves the problem of supervising the observance of an agreement prohibiting the production of chemical and bacteriological warfare agents.

112. Regarding the first of those two points, the Soviet delegation and those of many other countries have adduced, notably at the Committee's last session, sufficient arguments in favour of the joint prohibition of the production and stockpiling of chemical and bacteriological means of warfare, while pointing out the dangers of adopting any other approach. Judging from the statements made by representatives, the prevailing view in the Committee is that both types of weapons should be prohibited together.

113. The other approach advocated by some countries -- to limit the prohibition, for the time being, to the production of bacteriological weapons and to deal with chemical weapons at some later stage -- would in fact mean excluding from the prohibition for an unspecified time and preserving for possible use a dangerous type of weapons of mass destruction: chemical warfare agents. Is not the United States delegation's statement at the Committee last session that "chemical weapons have obvious usefulness in certain military situations..." (CCD/PV.458, para. 58) symptomatic in this connexion?

114. The United States delegation's proposal of 30 June (CCD/290) to broaden the scope of the United Kingdom draft convention (ENDC/255/Rev.1) by including the prohibition of toxins in no way changes the essence of the matter: in that version too, all kinds of chemical weapons, with the sole exception of toxins, are outside the prohibition. However, in practical terms, so far as chemical and bacteriological weapons are concerned,

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it is the chemical weapons which now represent the greatest threat to mankind and it is those weapons which should be prohibited as soon as possible.

115. The United States proposal simply underscores the illogical nature of the United States approach to chemical and bacteriological weapons. Up to now the United States delegation has stressed the need for keeping chemical and bacteriological weapons separate, alleging that they are basically different types of weapons which require a different approach in the matter of verification. The United States delegation, speaking on the verification of the prohibition of chemical and bacteriological weapons, stated on 21 April that "chemical weapons pose complex problems which will require more time and effort to resolve ..." (CCD/PV.466, para. 52) and that "it is fortunately the case with biological weapons, however, that the problem of verification does not present a serious barrier to progress". (ibid., para. 60)

116. Now, however, the United States says that it is prepared to see the prohibition provided for in an agreement on biological weapons -- that is to say, the United Kingdom draft convention -- cover "also the lethal chemical substances known as toxins" (CCD/PV.474, para. 16). But the United States will not go as far as prohibiting other chemical weapons. In stating its readiness to include toxins in the prohibition, the United States recognizes that the same agreement can provide for the prohibition of biological warfare agents and one type of chemical warfare agent. The United States proposal on toxins confirms our conviction that the difficulties the Committee is now confronting are related to political and military considerations and not to the technical difficulties which are formally invoked as the main problem.

117. The other point which is giving rise to controversy and is in some measure impeding our progress is connected with the problem of verifying the implementation of the agreement on the prohibition of the production and stockpiling of chemical and bacteriological weapons. That question was thoroughly discussed at the spring session of the Committee and it is now possible to draw some conclusions from our discussion.

118. The position of the Soviet Union on supervision of the observance of the agreement prohibiting the development, production and stockpiling of chemical and bacteriological weapons was presented in detail at the last session of the Committee. We strongly uphold the conviction that where prohibition of the production of chemical and bacteriological weapons is concerned, the most rational method of control is supervision by national governments responsible vis-à-vis other States for ensuring that these warfare agents are not manufactured by enterprises in their countries. At the same time we believe that if, on certain occasions, the question of a violation of the

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convention on the prohibition of chemical and bacteriological weapons should arise at the international level, that problem could be brought to the Security Council, which would take appropriate action.

119. In connexion with the problem of control we should like to draw attention to the following aspect. At the last session of the Committee, as well as at the current session, there has been a very clear tendency to channel the consideration of the complete prohibition of chemical and bacteriological weapons into a discussion of technical details. At the same time, the need to take a political decision on the problem is in effect sidetracked. This can only add to the difficulty of the problem.

120. Here it seems appropriate to recall the experience of the League of Nations, which is very instructive in this respect. Avoiding political decisions on disarmament, the League plunged into the maze of the technical aspects of the problem. The result was that it was unable to make any progress in actually solving the problem. Thus, the policy whereby the discussion of disarmament questions was directed towards matters of technical expertise, which would cover up the unwillingness of the Powers then dominating the League to take political decisions on such questions, led to the complete failure of disarmament between the two World Wars. If we were to choose the same approach we might find ourselves in the same position. We were gratified to note that the Swedish representative, Mrs. Myrdal, expressed the same thought this morning when she said:

> "Studies should never be undertaken if they would run the risk of becoming substitutes for actual measures; study groups should never be set up to delay action. Disarmament is largely a political problem. Negotiations must be understood as having built-in studies, although most of them are conducted on a national basis." (para. 33)

121. Furthermore, it should be noted that even the League experts who studied these very problems of supervising the prohibition of the production of chemical and bacteriological weapons could not help recognizing that the most practical form of verification thinkable was control by national governments. A special committee of the League of Nations expressed its opinion in the form of a report to the League in 1932 that:

> "... such supervision by a national authority was not inconceivable, provided that the existing national systems of supervision of certain chemical products for fiscal reasons could be made general.
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> .....

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"As for entrusting supervision to an international body, in the Committee's opinion 'the difficulties would be considerable'. It considered as doubtful the effectiveness of preventing all preparations for chemical warfare by means of international inspection, which in addition, 'would be a source of numerous disputes and suspicions' ...".[1]

122. The Soviet delegation considers that our Committee should address itself primarily to solving the political problems connected with the prohibition of chemical and bacteriological means of warfare.

123. The Soviet delegation would also like to express its opinion on another question which has been raised in the Committee by a number of delegations. We have in mind the matter of the reservations made by some countries upon ratifying the Geneva Protocol of 1925 and the significance of those reservations for the conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and their destruction.

124. The gist of the reservations is as follows: the Protocol is binding for a country which made a reservation to the appropriate effect in relation only to participating States; and the Protocol ceases to be binding for such a country in relation to any State whose armed forces do not observe the limitations established by the Protocol. The existence of reservations to the Geneva Protocol is due, on the one hand, to the scope of its prohibition -- i.e. to the fact that it prohibits only the use of chemical and bacteriological weapons during warfare and thus accepts the possibility of States keeping chemical and bacteriological warfare agents -- and, on the other hand, to the fact that not all States, including militarily important States, are parties to the Geneva Protocol. In such circumstances, the desire of States to protect themselves from possible attack involving the use of chemical and bacteriological weapons is only natural.

125. It is pertinent to recall that the warning to the Government of Hitler Germany by the Allied Powers, which played its proper part in preventing the Second World War from becoming a war in which chemical and bacteriological agents were used, was based precisely on the reservations to the Geneva Protocol.

126. As to the significance of the reservations to the Geneva Protocol for the proposal made by the socialist countries (A/7655) to conclude a convention providing for the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and also for the destruction of the stockpiles of such weapons, we should bear in mind that, as may be seen from the very title of the draft convention, what is aimed

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1/ Cited in United Nations document A/AC.50/3, paras. 81-82, 3 August 1951.

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at is the complete elimination of the possibility of using chemical and bacteriological warfare agents. The conclusion of such a convention with the participation of a large number of States would make the question of reservations to the Geneva Protocol completely pointless, for the simple reason that chemical and bacteriological weapons would be eliminated from military arsenals; they would be destroyed and would cease to exist. That understanding stems clearly from the draft convention proposed by the socialist States, and no additions or changes in the text are required.

127. The Committee on Disarmament has before it the task of finding a radical solution to the problem of the prohibition of these warfare agents once for all. The draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and their destruction proposed by nine socialist States provides the necessary basis for such a solution. The representative of Nigeria, Mr. Sule Kolo, noted this when he pointed out that this draft offers a suitable basis for negotiation (CCD/PV.462, para. 87).

128. As is known, upon the proposal of the delegations of Poland, Hungary and Mongolia (CCD/285 and Corr.1) that draft has been supplemented by provisions which strengthen the guarantee of its fulfilment by the participants. That addition to the draft convention will make it easier to reach agreement on the complete prohibition of chemical and bacteriological weapons.

129. The problem of eliminating chemical and bacteriological agents from the military arsenals of States is attracting the attention of the whole world. The question is often mentioned during talks between the statesmen of various countries. In the joint Soviet-Pakistan communiqué published on 26 June of this year at the conclusion of the visit to the Soviet Union of General Yahya Khan, the President of Pakistan, stress was laid on

> "... the need for reaching international agreement on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on their destruction."

A few days before that a similar statement was made in the Soviet-Swedish communiqué published at the conclusion of the visit to the Soviet Union of the Prime Minister of Sweden, Mr. Olaf Palme.

130. The Committee on Disarmament bears a great responsibility for the solution of this problem. We must make every effort to achieve progress in that direction. This calls for a constructive approach by the members of the Committee and for readiness on their part to seek agreement on the prohibition of such dangerous types of weapons of mass destruction as chemical and bacteriological means of warfare.

131. U CHIT MYAING (Burma): I should like today to make a few comments on the second revised draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof (CCD/269/Rev.2) submitted by the delegations of the Soviet Union and the United States on 27 April.

132. My delegation believes that the provisions of any sea-bed treaty must take account realistically of two basic considerations. One of these is that the treaty is first and foremost an arms-control measure and should accordingly possess all the necessary elements of an effective and workable arms-control agreement. The other is that its field of application happens to be a geographical environment extensive areas of which are inseparably interwoven with the economic and security interests of coastal States and are the object of certain claims of national jurisdiction inspired by such interests.

133. That means that the treaty's provisions, including those designed to ensure its effective implementation, must adequately safeguard the legitimate economic and security interests of coastal States and must not prejudice, or appear to prejudice, their individual positions on certain questions concerning the law of the sea. By the same token it also means that we should not go too far in the other direction and press claims that might get in the way of the carrying out of certain procedures which might prove to be necessary to ensure the treaty's effective implementation. In other words, the requirement of an effective and workable arms-control measure on the sea-bed must be combined and balanced with the requirement to safeguard the legitimate economic and security interests of coastal States. That seems to me to be the crux of the matter, put simply. Without such balance the treaty might not inspire sufficient confidence and support, and consequently its stability in the long run would not be fully assured.

134. Judged by that criterion, the latest draft represents a distinct improvement on the two earlier joint drafts (CCD/269 and Rev.1). The incorporation in it of the improved formulations of articles I and II and of a separate disclaimer clause, proposed by Argentina (A/C.1/997), and of the greater part of the text of the verification article proposed by Canada (CCD/270; A/C.1/992), has served to give the new draft the kind of balance I have mentioned. I should like to take this opportunity of sincerely commending the co-Chairmen for having accepted those amendments, as well as the Argentine and Canadian delegations for their valuable and constructive initiatives.

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135. It seems to me that still greater clarity could be given to the inherent meaning of some of these newly-accepted provisions, without altering their essence, by adopting a number of suggestions put forward in the Committee recently. At our meeting on 25 June the representative of Brazil suggested an amendment to the last sentence of paragraph 2 of article III (CCD/PV.473, paras. 80 et seq.), its purpose being to bring out more clearly the right of the coastal State to participate in the verification processes laid down in that paragraph. At our meeting on 3 July the representative of Argentina suggested the addition of the phrase "in particular the coastal State" after the first comma in the last sentence of the same paragraph (CCD/PV.475/Add.1, para. 24).

136. To my mind those suggestions would only make explicit what is already implied in the paragraph, and would have the added advantage of buttressing the stipulation contained in paragraph 6 of article III. These suggestions adequately take care of my delegation's chief concern, which is to obviate the possibility of the later-stage control procedures on the continental shelf over which the coastal State has exclusive sovereign rights being carried out without the coastal State's knowledge and participation. Accordingly I would urge their adoption.

137. In his statement of 9 July the representative of Mexico gave us the benefit of a detailed and highly learned analysis of the treaty text, and suggested a number of refinements of the legal drafting of paragraph 1 of article I and of article II (CCD/PV.477). I should like to commend those suggestions for serious consideration.

138. While welcoming the important improvements which the co-Chairmen have introduced in their revised text, my delegation cannot but note with regret that two essential elements, the inclusion of which in the treaty is strongly favoured by the large majority of States, are missing from the draft. These are: first, a provision requiring further negotiations to expand the scope of the treaty prohibitions; and, second, a provision regarding international verification procedures.

139. So far as further negotiations for a more comprehensive prohibition are concerned, the present draft does not represent any advance whatsoever on the first joint draft, submitted on 7 October 1969. Consequently, those delegations which considered that the draft of 7 October did not go far enough as a commitment in this respect are unlikely to assess the present draft any differently. My delegation continues to hold the view that it should not prove to be too difficult to transmute the

(U Chit Maung, Burma)

determination expressed in the third preambular paragraph into a corresponding operational clause along the lines, for instance, suggested by the Swedish delegation in its working paper (CCD/271).

140. My delegation firmly believes that complete demilitarization of the sea-bed is a goal worth striving for. The reasons are manifold. Since conventional sea-bed weapons are within the reach not only of the nuclear Powers but of a large number of maritime countries, expanding the prohibitions to cover such weapons would decidedly enhance the value of the treaty as a measure of arms control and give it a truly multilateral character. It would, we believe, also contribute significantly to the security of States, particularly of the smaller coastal States for which conventional armaments pose a more immediate danger than do strategic armaments. Last but not least, the exclusion of this environment from the arms race would help to ensure its utilization exclusively for peaceful purposes; for these two objectives are but two sides of the same coin.

141. My delegation has always attached the first importance to arms-control and disarmament measures in the nuclear field. We therefore readily acknowledge that the treaty proposed by the co-Chairmen goes to the heart of the problem of preventing an arms race on the sea-bed, and indeed manifests the willingness of the nuclear-weapon Powers to accept certain limitations upon the growth of their military nuclear capabilities. We nevertheless feel that a firmer commitment regarding further negotiations than is implied in the third preambular paragraph cannot fail to enhance the status of the treaty, particularly in the eyes of world public opinion. In common with many previous speakers, I should like strongly to urge the co-Chairmen to give further serious attention to this matter.

142. May I now turn to the second missing element: namely a provision regarding future arrangements for international verification? Though the new article III is a distinct improvement upon its counterparts in the two previous drafts, so far as international verification is concerned the latest draft differs little from the first joint draft of 7 October 1969. As before, my delegation believes that, while elaborate verification procedures may not be necessary at this stage, the requirements as well as the possibilities of verification are bound to increase with further advances achieved in under-sea technology, and that some form of international co-operation will then become necessary. Accordingly we continue to believe that it would be useful to include in the treaty a clause looking to such co-operation.

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143. My comments today have not been made in any contentious spirit. They have been motivated solely by the desire to help promote our common aim of achieving an effective, workable and widely-acceptable sea-bed treaty. We are fully aware of the importance of the agreement already reached and of the need to formalize it in a definitive treaty text without undue delay. To that end we pledge our co-operation.

The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 478th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador I.F. Porter, representative of the United Kingdom.

"Statements were made by the representatives of the Netherlands, Sweden, Japan, Yugoslavia, the Union of Soviet Socialist Republics and Burma.

"The delegation of the Netherlands submitted the following documents: working paper concerning United Nations General Assembly resolution 2602 C (XXIV) (CCD/291), and working paper concerning United Nations General Assembly resolution 2602 D (XXIV) (CCD/292).

"The next meeting of the Conference will be held on Thursday, 16 July 1970, at 10.30 a.m."

The meeting rose at 1.10 p.m.